

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF  
CALIFORNIA

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NEFTALI MONTERROSA, et al.,

Plaintiffs,

v.

Civil Action No.

CITY OF VALLEJO, et al.,

2:20-cv-01563

Defendants.

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VIDEOCONFERENCE DEPOSITION OF CORPORATE DESIGNEE FOR  
CITY OF VALLEJO - ROBERT KNIGHT

DATE: Wednesday, July 10, 2024

TIME: 1:35 p.m.

LOCATION: Remote Proceeding

Vallejo Police Department

111 Amador Street

Vallejo, CA 94590

REPORTED BY: Melissa Dominguez

JOB NO.: 6780519

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A P P E A R A N C E S

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MONTERROSA:

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1 A P P E A R A N C E S (Cont'd)

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I N D E X

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|--------------|------|
| EXAMINATION: | PAGE |
| By Mr. Coyle | 6    |

E X H I B I T S

|           |                              |      |
|-----------|------------------------------|------|
| NO.       | DESCRIPTION                  | PAGE |
| Exhibit 1 | Notice of Corporate Designee |      |
|           | Deposition of Robert Knight  | 10   |

P R O C E E D I N G S

THE REPORTER: Good afternoon. My name is Melissa Dominguez; I am the reporter assigned by Veritext to take the record of this proceeding. We are now on the record at 1:35 p.m.

This is the deposition of Robert Knight in the matter of Neftali Monterrosa et al. vs. City of Vallejo et al. on July 10, 2024, at 111 Amador Street, Vallejo, California 94590.

I am a notary to take acknowledgments and administer oaths in the state of New York. Parties agree that I will swear in the witness remotely.

Additionally, absent an objection on the record before the witness is sworn in, all parties and witness understand and agree that any certified transcript produced from the recording of this proceeding:

- is intended for all uses permitted under applicable procedural and evidentiary rules and laws in the same manner of a deposition recorded by stenographic means; and
- shall constitute written stipulation of such.

1                   At this time, will everyone in  
2 attendance please identify yourself for the record and  
3 whom you are with.

4                   MR. COYLE: John Coyle on behalf of the  
5 plaintiff, Neftali and Nora Monterrosa.

6                   MS. KNIGHT: Katelyn Knight on behalf  
7 of Deponent, Deputy Chief Bob Knight, and for the City  
8 of Vallejo.

9                   MR. KONZ: I'm Derick Konz for  
10 Defendant Tonn, T-O-N-N.

11                  MR. KNIGHT: Did you introduce me? Or  
12 do I need to introduce myself as well?

13                  MS. KNIGHT: You don't need to  
14 introduce yourself.

15                  THE REPORTER: Mr. Knight, if you could  
16 please raise your right hand.

17 WHEREUPON,

18                   ROBERT KNIGHT,  
19 called as a witness and having been first duly sworn  
20 to tell the truth, the whole truth, and nothing but  
21 the truth, was examined and testified as follows:

22                  THE REPORTER: You may proceed.

23                   EXAMINATION

24 BY MR. COYLE:

25                  Q     Good morning, Mr. Knight. My name's John

1 Coyle. We're here today for your deposition in the  
2 matter of Neftali and Nora Monterrosa vs. The City of  
3 Vallejo and Jarrett Tonn.

4 You're being offered today as a corporate  
5 designee witness. That means you're speaking on  
6 behalf of the City of Vallejo for a number of topics.

7 Before we get into that -- and I'll show you  
8 the topics we're going to talk about -- I just want to  
9 do some background and some instructions.

10 So have you ever had your deposition taken  
11 before?

12 A Yes.

13 Q How many times?

14 A Hard to say. I'd -- I'd say definitely more  
15 than five, maybe -- maybe less than a dozen.  
16 Somewhere -- somewhere in there.

17 Q Okay. So you've heard these instructions  
18 before, but I'm going to go through them again just to  
19 make sure we're on the same page. So first and  
20 foremost, you're under oath, just like in a court of  
21 law. You're obligated to tell the truth. Do you  
22 understand that?

23 A Yes.

24 Q Second, the court reporter's taking a  
25 written record of everything we say here today. So I

1 want you to keep two things in mind: First, things  
2 like "Uh-huh," "Uh-uh," nods of the head, shrugs of  
3 the shoulders, they don't translate to a written  
4 record. So try to use words like "yes" and "no";  
5 okay?

6 A Okay.

7 Q Second, very much human nature to anticipate  
8 my question, want to jump in and answer it. But that  
9 can lead to a very jumbled record. So try to wait  
10 until I've done my question to begin your answer. And  
11 I'll extend the same courtesy; okay?

12 A Okay.

13 Q If at any point in time I interrupt you or  
14 you want to add something, just let me know. It's not  
15 my intention to interrupt you. I want to hear  
16 everything you have to say today; all right?

17 A Sounds good.

18 Q Okay. Now, because you're a corporate  
19 deponent, that means you're speaking on behalf of the  
20 City. So we don't want you to guess at things. We  
21 only want to know what you actually know; all right?  
22 So try not to guess or estimate. Just speak from  
23 things you have knowledge about; all right?

24 A Okay.

25 Q Okay. If you need to take a break at any

1 time -- I don't think we'll be here too terribly long.  
2 Probably a couple hours, tops. But if you need to  
3 take a break to use the restroom, grab a cup of  
4 coffee, whatever it may be, we can take a break  
5 whenever you want. Just let me know.

6 The only thing I ask is, if I've asked a  
7 question, and it's pending, you answer it before we  
8 take a break; fair enough?

9 A Fair. Yeah. We might have to take a break  
10 or two. I'm getting older, so in the morning, I'll  
11 have to take a bathroom break or two, so ...

12 Q No problem. No problem at all.

13 I don't mean any offense by this question,  
14 but is there any reason -- be it prescription  
15 medication, drugs, alcohol, physical or psychological  
16 condition -- that you can't testify truthfully and  
17 accurately here today?

18 A No.

19 Q Great. All right. So your full name for  
20 the record?

21 A Robert Knight, K-N-I-G-H-T.

22 Q And let's just go through some background.  
23 What's the highest level of education you've  
24 completed?

25 A Highest level. I have a Bachelor of Arts

1 degree in sociology.

2 Q Where is that from and when?

3 A Sacramento State, the illustrious California  
4 State University of Sacramento. And I think that was  
5 1998.

6 Q You're currently employed with the Vallejo  
7 Police Department as the deputy chief?

8 A Correct.

9 Q How long have you been with the Vallejo PD?

10 A I am -- since 1999. So I'm just shy of my  
11 25-year anniversary year coming up in a few weeks.

12 Q Okay. So I'm going to show you -- I'm going  
13 to share my screen. Let me know if you can see it.

14 THE REPORTER: -- share screen  
15 option -- okay. Go ahead.

16 THE WITNESS: I do notice that when you  
17 look to the left it gets a little harder to hear you.  
18 So I don't know. Just -- just be aware of that.

19 BY MR. COYLE:

20 Q Can you see my screen, sir?

21 A Yes.

22 Q We're going to mark this as Exhibit 1.

23 (Exhibit 1 was marked for  
24 identification.)

25 It's the notice of corporate designee

1 directed to you. And there's a couple topics here.  
2 Counsel's indicated you're being offered for  
3 Categories 1, 2, 8, 11, 16, 17, 18, and 19. So I just  
4 want you to read through these, and let me know when  
5 you need me to scroll the ...

6 A Okay. If you could scroll down. Okay.  
7 Yes.

8 Q Okay. Do you feel prepared to testify on  
9 these topics?

10 A Yes.

11 Q Okay. Great. Let's jump right into it. So  
12 I want to start with Categories 1 and 2. They  
13 overlap. So the processes, procedures, and records  
14 generated from administrative reviews of use of force,  
15 critical incidents, and those generated by citizens or  
16 internally generated complaints, to include what types  
17 of records exist as to Officer Tonn.

18 So I want to start generally with -- let's  
19 talk about what type of processes and procedures and  
20 records are generated from the administrative review  
21 of the use of force.

22 Now, I know from yesterday's deposition that  
23 any time force is used, it's reviewed by the  
24 supervisor, sent to professional standards, and then  
25 reviewed and logged in IAPro.

1           Is that the extent of the process, or are  
2           there other reports or processes that stem from that?

3           A     It depends. So, yeah, this -- this Category  
4           1 and 2 -- it's -- there's kind of a lot to unpack  
5           there. So, you know, kind of -- I'm going to take  
6           your -- kind of your cue on how in-depth you want to  
7           go.

8           So, yes, there is the -- there is the  
9           general, day-to-day officer-use-of-force review  
10          process that we have now. There's a process that we  
11          had in the past. That's for, you know, the everyday  
12          takedown, control hold, strike, which happen, clearly,  
13          more frequently.

14          Then you have a kind of separate, not  
15          dissimilar but a more comprehensive process as you get  
16          into, clearly, application of deadly force:  
17          implication of County protocols, joint administrative  
18          and criminal investigations. Hopefully that makes  
19          sense.

20          There's -- there's kind of different levels  
21          of these and kind of up to you how -- how in-depth you  
22          want me to go into each one.

23          Q     Sure. So we got a lot of testimony  
24          yesterday about how the processes work, how the, you  
25          know, administrative and criminal investigations for a

1 critical incident go hand in hand and the CIRB and  
2 those type of things.

3 So what I really want to sort of focus on is  
4 the data and how that's sort of kept and reviewed. So  
5 when these day-to-day use-of-force reviews occur, is  
6 that logged in anywhere?

7 A Yes.

8 Q And that's the IAPro system?

9 A Yes. We use, like many other agencies, use  
10 the IAPro system to track a variety of administrative  
11 functions of the department.

12 Q Okay. So if I were to login to, let's say,  
13 Officer Tonn -- he's specified -- here -- and we look  
14 at his IAPro report, what is included in that report?

15 A There can be a lot of things included. It's  
16 customizable in terms of what you want to look at.

17 We have something that's -- and what I --  
18 what I briefly reviewed prior to testifying here  
19 today -- what we call, for a slang term, a, quote-  
20 unquote, "Pitchess log," which would be a log that we  
21 bring to court if there's a Pitchess motion filed on  
22 an officer.

23 That will include things like complaints,  
24 internal investigations -- I see you taking some  
25 notes -- internal investigations, any other thing that

1 are required -- any other -- or any other files that  
2 are allegations of misconduct.

3 It's generally complaints, external  
4 complaints from citizens, and internal investigations,  
5 which are both administrative investigations.

6 Q Okay. And, so, you reviewed Officer Tonn's  
7 log. Can you tell me how many citizen's complaints --  
8 I'm not looking for the specifics -- but how many  
9 citizen's complaints were filed against him?

10 A Yeah. I -- I didn't get the -- the Pitchess  
11 log does not aggregate them, so I don't know that  
12 number. I'd have to go back and count them. But  
13 there did -- there was complaints. I know this is  
14 going to come up later --

15 THE WITNESS: And I know I talk fast,  
16 so I'm trying to talk really slow, Melissa.

17 There is two types of complaints.  
18 There is a citizen's complaint, and there is an  
19 inquiry resolution complaint. So when you see the --  
20 the letters in front of a particular file "CC," that's  
21 a citizen complaint; "IR" is an inquiry resolution.

22 That denotes the disposition of the  
23 investigation, but they're both complaints. Those are  
24 contained in the Pitchess.

25 As you can imagine, an inquiry

1 resolution complaint, those are complaints that are  
2 clearly unfounded, frivolous in nature that can be  
3 dispelled through, you know, for example, body camera  
4 footage, and a citizen alleges something that we can  
5 quickly refute did not actually occur.

6 That would be a complaint, of course,  
7 pursuant to the law, but it would be classified as an  
8 IR. As you can imagine, there's a lot more of those  
9 than actual CCs. And there's even fewer IAs, which  
10 would be internally generated administrative  
11 investigations.

12 BY MR. COYLE:

13 Q Okay.

14 MS. KNIGHT: -- just an objection for  
15 privacy. I think when we conducted discovery, we  
16 narrowed this down to force-related complaints,  
17 inquiry resolutions, and then ones on veracity. And I  
18 don't remember a time limitation. I don't think it's  
19 going to matter for this one.

20 I don't mind kind of talking in general  
21 about, you know, I guess the number of different  
22 things. But when we're getting into specifics, I  
23 think we had agreed that the force ones were the  
24 relevant ones.

25 MR. COYLE: Yeah.

1 BY MR. COYLE:

2 Q I'm really only interested in force and  
3 dishonesty as a whole.

4 But can you explain to me, sort of, how  
5 something is categorized as an inquiry resolution  
6 complaint versus a citizen's complaint? Is it the  
7 result of the investigation that gets it classified  
8 that way, or is there some type of tracking when they  
9 first come in?

10 A Yeah. So the -- the classifications -- so  
11 the complaint comes in. So there's an allegation from  
12 an outside entity, a citizen or a civilian that  
13 alleges some type of misconduct or policy violation.

14 There will be an initial intake, an  
15 assessment of that complaint, and then it is generally  
16 classified into one of those two categories.

17 There, essentially, is no difference in --  
18 in the -- in the actual process, per se, other than if  
19 an -- if there is a complaint that, as I had stated,  
20 is clearly false, frivolous, or unfounded on its face,  
21 and there's unequivocal evidence of that, that -- that  
22 complaint investigation will be a little shorter.

23 It won't be as long. It will be classified  
24 as such and disposed much quicker.

25 If you have a citizen complaint that is

1 generated that is -- there's no unequivocal evidence  
2 that it's false, frivolous, or unfounded, if there is  
3 some dispute of fact or some aspect that you can't  
4 prove, you would have to then do a more thorough  
5 citizen complaint investigation. And that will be a  
6 little bit of a longer format and -- and whatnot.

7 Those citizen complaint, the difference is,  
8 kind of as you stated, the aftereffect. Those citizen  
9 complaint investigations do go through a full approval  
10 routing process all the way to the chief of police,  
11 whereas an inquiry resolution, the routing approval  
12 process stops at the lieutenant division commander.

13 Q Okay. Is that the professional standards  
14 lieutenant?

15 A Yes.

16 Q Okay. When you log into IAPro, you know,  
17 you mentioned that every use of force gets logged in  
18 there, at least as an entry. Does it tabulate the  
19 total number of uses of force in an officer's career?

20 A I'm not sure. It does -- so every use of  
21 force is also given -- and that's kind of something  
22 you'll notice I'll go back to several times in this  
23 deposition -- is every incident is given a specific  
24 number on -- for use of force, they're given a number  
25 "t" as in "Tom," "a" as in "Adam," TA.

1           So every use of force is given a TA number.  
2       Yes. You could run a report on a particular employee  
3       and give from a particular date to a particular date,  
4       and it will give you a list of all of the TA reports  
5       that have been generated for that particular officer.

6           I didn't do that here today. I don't know  
7       if it actually gives you the number or if you just  
8       have to get the list and count them. You know, I'm --  
9       I'm not as familiar with that process. But you can  
10      get the information is my point.

11          Q       Okay. So as it relates to Detective Tonn,  
12      specifically with regard, as we mentioned, to uses of  
13      forces and complaints weighing on his credibility or  
14      his honesty, were there any citizen's complaints in  
15      his IAPro?

16          A       I'm sure there was, yeah. There -- there  
17      was a four-year -- a four-year Pitchess log that we  
18      did -- that we generated. I'm happy to go through  
19      that if you wanted me to skim through it. I don't --  
20      but, again, I did not -- it's a four-year Pitchess  
21      log. I don't have the -- the aggregate numbers.

22                  MR. COYLE: Katelyn --

23                  THE WITNESS: But I do have the -- I do  
24      have the material.

25                  MR. COYLE: Katelyn, is this the log

1     that you're going to be producing?

2                   MS. KNIGHT:   So I can go ahead and  
3     produce it limited to force and veracity.  I can tell  
4     you I did a skim before the deposition, and the only  
5     uses of force I found were the officer-involved  
6     shootings and then the two incidents that you already  
7     know of of Mychael Nelson and the Felix whatever his  
8     name was.

9                   MR. COYLE:    Yeah.

10                  MS. KNIGHT:   I can produce under  
11     protective order the log with the use-of-force and  
12     veracity-related incidents.

13                  MR. COYLE:    Okay.  That'd be great.  
14     Thank you.  That lets us sort of skip ahead a little  
15     bit.

16     BY MR. COYLE:

17                 Q     We don't -- we've done a lot of work on  
18     prior incidents already, and I don't think you'll add  
19     much in terms of detail just from your review of the  
20     IAPro log.

21                         So let's talk about Category 8, "operations,  
22     processes, programs, reviews, protocols, and audits  
23     for the City on the following topics."  So what I'm  
24     really looking at here is I want to understand how the  
25     City looks at this data, these internal affairs

1 investigations.

2           You know, is it just a one-off review of it?  
3 Are they amalgamated into some type of report? You  
4 know, how is the data used and reviewed by the  
5 department?

6           A     Right. Again, also, kind of a lot to unpack  
7 here. So every internal affairs investigation, as I  
8 had stated, is given its own unique number. Each of  
9 those cases is tracked.

10           Each of those cases is completed by an  
11 investigative entity, usually our internal affairs  
12 unit, which we have one sergeant assigned to that at  
13 all times.

14           And then each internal affairs investigation  
15 is then placed into a file and routed through what we  
16 call the, quote, "approval routing process" --  
17 "approval routing process."

18           That is which the investigator reviews the  
19 file to sign off that it's accurate with the report,  
20 all the attachments that they created. The  
21 professional standards lieutenant does a managerial  
22 lieutenant review.

23           It's then given to a captain of police.  
24 What -- what captains it goes to has changed a couple  
25 times over the years. It's always gone to, at least,

1 a bureau captain. In the past, at times, it would go  
2 to both bureau captains. Ultimately, then, it will go  
3 to the chief of police.

4 Under our current command structure, which  
5 did not exist in 2020 -- there was no deputy chief of  
6 police. But it currently does go to the deputy chief  
7 of police.

8 So, again, my point being the review and  
9 process is multilayered. And it goes through -- up  
10 through to include the chief of police.

11 Q Okay. Outside of this initial review and  
12 approval, does the City have any type of program where  
13 they do, you know, like a selective audit of internal  
14 affairs investigation where they, you know, pull five  
15 at random or something like that and go back and  
16 double-check as a sort of quality-control-type  
17 situation?

18 A Got you. Not per se. And, again, John,  
19 I'll just preface and kind of, maybe, disclaimer and  
20 ask. Some of the things I can testify to are  
21 significant amount of -- significant improvements that  
22 we've made over the last three or four years. Or do  
23 you want me to testify to what it was during the time  
24 of Tonn's hire to 2020, if that makes sense?

25 Q Everything we want to know is from Tonn's

1 hire to the date of the shooting, June 2, 2020. I'm  
2 well aware of all the improvements that have taken  
3 place.

4 A Got it. Okay. So as it relates to audits  
5 of these particular files, there was a couple things  
6 that we did. There is a monthly IA stats report that  
7 was generated every month.

8 That tracked things like the amount of  
9 internal investigations; the amount of complaints,  
10 both citizen's complaints and inquiry resolution, as  
11 we just talked about; the number of officer-involved  
12 collisions; the number of use of force; the number of  
13 Pitchess motions we've received; the number of Public  
14 Records Act requests we've received.

15 And this was a monthly report that was  
16 generated and produced at all command staff meetings.

17 To your point, any analysis or trend  
18 identification would be done at the command staff  
19 meetings in person with departmental members of the  
20 rank of sergeant and above.

21 There is a -- the only trend analysis that  
22 occurs in this monthly report is a trend analysis up  
23 or down in comparison to the same period last year.  
24 So there is a slight trend analysis of how we fared  
25 compared to last year.

1           During that time of 2014 to 2020, that was  
2           our main mechanism of doing that. One of the other  
3           things that, when I was the professional standards  
4           lieutenant, I implemented -- but we're really getting  
5           to the skirt of June of 2020. I don't -- it -- it  
6           occurred at some point in June of 2020. I don't  
7           remember when.

8           We did institute another process that still  
9           lives on and that is a major, kind of, piece of a lot  
10          of our police reforms -- is -- we call it the "open  
11          case meetings."

12          Those are a meeting that we have -- it  
13          varied. There were times we did it every two weeks.  
14          I think it's done monthly now. But it is a time when  
15          the professional -- a professional standards division  
16          staff comes together, and they discuss all of the open  
17          cases.

18          When I say "cases," I mean every open  
19          internal investigation, IA; every open CC; IR; every  
20          open collision review, officer-involved collision;  
21          every open Critical Incident Review Board review.

22          And those -- each case is gone through to  
23          have a status check of where we're at, what are the  
24          next steps, what are we missing, what's pending, that  
25          type of thing.

1           I do -- although it doesn't entail kind of  
2     like a randomized audit, as you described, I do  
3     consider that an audit function. It's kind of you're  
4     auditing everything that's open at the time.

5           So at -- and, again, it's going to be  
6     cutting it close. I don't know if it happened prior  
7     to the June of 2020 incident or after, but it happened  
8     in that same year.

9           But it wasn't -- it wasn't prompted by  
10    anything that occurred in this incident. It was  
11    something that we have been, kind of, long planning  
12    what the mechanism is to look and make sure we're not  
13    missing things.

14        Q     Okay. So turning attention sort of  
15    specifically to the critical incident reviews, during  
16    the time period of 2014 to 2020 --

17           THE REPORTER: Sorry, Mr. Coyle, can  
18    you get a little bit closer to the mic? You're fading  
19    out a little bit.

20           MR. COYLE: My apologies.

21           THE REPORTER: "2014," you said?

22           MR. COYLE: 2014 to June of 2020.

23    BY MR. COYLE:

24        Q     Was there any, you know, process, you know,  
25    guidance on how long a case should take before it gets

1 to the Critical Incident Review Board?

2 A No. There was no -- in -- in the Critical  
3 Incident Reivew Board process and policy, there was no  
4 time-bound timelines. I would describe it as more --  
5 there was triggering events that had to occur or be  
6 completed prior to the convening of the Critical  
7 Incident Review Board, if that answers your question.

8 Q Yeah. Can you explain to me what those  
9 events are?

10 A There's going to be -- there's going to be a  
11 couple of events.

12 In the Critical Incident Review Board policy  
13 and process at that time, there was an ability for the  
14 chief of police to hold off on convening said board  
15 until the completion of the criminal investigation,  
16 which would be done by, at that time, the -- our --  
17 our criminal investigators as well as the DA's office  
18 criminal investigators and then, ultimately, the  
19 district attorney's decision.

20 There -- there was something called -- I  
21 believe it was -- you know, for lack of a better term,  
22 called a "clearance letter" that would generally --  
23 the investigation would occur to determine criminal  
24 culpability on either party, either the suspect or the  
25 officer. And then there would be some type of letter

1     that would be generated.

2             Oftentimes, the preference would be to wait  
3     until that -- that determination or letter was  
4     produced prior to convening the board, because that  
5     would be vital information that the department would  
6     want the board to look at and review and assess prior  
7     to convening.

8             As you can imagine, through changing of  
9     district attorneys and processes and elections, those  
10    things did not always occur timely. And those --  
11    those reports from the DA did not always come timely.

12            So that was something that would sometimes  
13    delay the implementation of our Critical Incident  
14    Review Board or --

15            THE WITNESS: Melissa, I will call it  
16    the "CIRB." We generally call it a CIRB, C-I-R-B. So  
17    you'll hear me kind of use that term as a short.

18            THE REPORTER: Thank you.

19    BY MR. COYLE:

20            Q     Now, I know that there was a sort of  
21    wholesale review of the department by the OIR Group  
22    that wrapped up around June -- or around 2020 that  
23    looked at the critical incident review processes and a  
24    myriad of other issues.

25            Other than that review, during that 2014-to-

1 2020 time frame, were there any other, sort of,  
2 reviews of the critical incident review process that  
3 were conducted?

4 A Yes.

5 Q Okay. Can you explain what those were?

6 A Yeah. These -- these reviews or assessments  
7 were -- were internally done. These were much more --  
8 much more informal in nature.

9 These were discussions about the assessment  
10 of the Critical Incident Review Board process, things  
11 that were, I think, very good about it, things that  
12 were -- that it was deficient in, one of -- one of  
13 which being what you just talked about: the  
14 timeliness issue and how we move forward for agency  
15 improvement and assessment of the incident at a  
16 department level when we are holding off on another  
17 entity -- i.e., the district attorney -- to provide,  
18 you know, vital information. So there was a lot of  
19 discussions that were had around that.

20 There was discussions -- internal  
21 discussions and debates about the -- the policy at the  
22 time related to CIRB and the administrative findings  
23 that you had to select. At -- at -- the policy at the  
24 time, there was four, essentially, options:  
25 administrative approval, administrative disapproval --

1 I believe it was decision -- tactics and decision-  
2 making, and policy -- something like policy or  
3 training issues.

4 What it -- what -- what kind of happened  
5 over the years is, as different board members started  
6 to come into the department -- as you know, the board  
7 is comprised of command staff folks, internal affairs  
8 administrative folks, and training and subject matter  
9 experts. Those people, as you understand, change over  
10 the years.

11 As those years went on, you know, we kind of  
12 looked at this process and said, "Why does it have to  
13 be -- why does it have to be one of those four things,  
14 you know?" Sometimes, there's things that you may  
15 want to know in each of those categories.

16 So those kind of constructive discussions  
17 and debates occurred. Clearly, as I sit here and  
18 testify today, there's no -- there's no record of  
19 those. There's no written report of those.

20 But those discussions did occur over time,  
21 mainly because -- and I'll give you a name -- mainly  
22 because the captain at the time, Lee Horton, knew the  
23 complete lineage of the Critical Incident Review  
24 Board: when we implemented it, the lineage of what --  
25 what the process was we mimicked off of some different

1 agencies, and what its intent was.

2 And when we would get Critical Incident  
3 Review Boards that would be convened, and then we  
4 would get a draft report, and Captain Horton would see  
5 those different categories or options and little bit  
6 of, you know -- aside from, obviously, administrative  
7 disapproval.

8 If there was administrative disapproval, I  
9 think we'd have a different conversation in terms of  
10 what the board found.

11 But if you talk about, specifically,  
12 administrative approval, training and policy issues,  
13 and tactics and decision-making, when we would have  
14 CIRB reports that would come back with different  
15 comments on each one, you know, Captain Horton would  
16 say, "Hey, time-out. We're supposed to, collectively  
17 as a board, come up with one finding or option, and  
18 we'd have to vote on it. And that has to be the one."

19 So I think, in a way, those of us, like  
20 myself, that were coming up in the department, looking  
21 at this process, you know -- and always looking for  
22 different areas, rooms for improvement or  
23 adjustment -- we found and started asking those  
24 questions like, "Hey, why do we have to pigeonhole  
25 ourselves into this -- these -- these different

1 findings?"

2           So those discussions occurred over a period  
3 of time. The -- if you, probably like you have,  
4 looked at different CIRB reports over the years, you  
5 may see some variance in, kind of, the way they were  
6 constructed and written.

7           And, obviously, some of this lineage, I'm  
8 going back to even pre-2014 in terms of that morphing  
9 of the process.

10           I know that was kind of an involved answer,  
11 but I think it's kind of important to lay historical  
12 context.

13           Q     No. I appreciate that. So these internal  
14 discussions are happening. And, certainly, they're  
15 reflected somewhat in notes that occur in the CIRB  
16 report that's finalized. You know, there's  
17 discussions happening and things like that.

18           But did any of these discussions lead to any  
19 sort of written policy change or change to the  
20 structure of the CIRB reports?

21           A     I skimmed over the different Critical  
22 Incident Review Board policies over the years. And to  
23 answer your question specifically, it does not look  
24 like it caused much actual policy change in terms of  
25 the written policy.

1 I think there were some different  
2 interpretations about what was best for the  
3 department, of kind of infusing some more agency  
4 improvement, decision-making considerations, training,  
5 and tactics training.

6 But in the actual written word of the  
7 policy, I would say, prior to 2020, no. Since then,  
8 yes. I mean, we have a completely different process  
9 now. But, again, that's, you know, not -- you know,  
10 like you had said, not really within the scope of  
11 this.

12 But prior to 2020, it stayed fairly  
13 consistent, if not the same, in terms of the policy.

14 Q And sort of piggybacking on that question  
15 about audits of internal affairs investigations, were  
16 there any type of systems for auditing the CIRB  
17 reviews, you know, going back a couple years and  
18 looking at, you know, how CIRB reviews were done?

19 Was there any type of audit or QC or  
20 anything like that that occurred, other than these  
21 sort of informal discussions?

22 A Not per se. I mean -- I mean, you got to --  
23 you got to know, kind of, these -- these incidents are  
24 fairly low frequency.

25 So you're not -- you're not dealing with a

1 high volume of -- of incidents to where you can do,  
2 you know, substantial, kind of, trend analysis and  
3 things like that. You're dealing with a fairly --  
4 fairly -- in the scheme of things, a fairly rare  
5 incident.

6 So, you know, no. Other than -- I would --  
7 I would classify what we were doing less audit-based  
8 and trend-analysis-based and more tracking-based, if  
9 that's makes -- keeping track of what -- how many  
10 there's been, what step of the process they are --  
11 they're in, ensuring that they were completed and  
12 reviewed thoroughly and then filed away and then  
13 kept -- kept appropriately and brought to court and  
14 Pitchess and any other type of examination that was  
15 required.

16 So does that make sense? It's like less --  
17 less audit and analysis and more tracking  
18 documentation.

19 Q Understood. This next topic here,  
20 "Disciplinary Action," this is something that I don't  
21 really have my hands around conceptually.

22 You know, can you explain to me sort of  
23 how -- I assume an investigation, whether it's an  
24 internal affairs or a CIRB, leads to some type of  
25 administrative disapproval finding. Can you tell me

1     how the disciplinary process proceeds there?

2           A     Can you repeat just the last part? I heard  
3     everything you said, and then you said "Can you  
4     explain" -- and I couldn't hear that part.

5           Q     How the disciplinary process proceeds from a  
6     administrative disapproval. You know, how is the  
7     decision made whether a counseling memo's appropriate,  
8     whether a ten-day suspension's appropriate, whether  
9     termination's appropriate?

10          A     Right. In general -- so, in general,  
11     the -- and, again, I'm speaking generality, right, and  
12     then you can talk about specific instances of, you  
13     know -- it -- it's -- the process is going to be the  
14     same or similar.

15                 But, obviously, as you can -- as you can  
16     understand, the -- the outcome is -- is much more  
17     severe when you talk about a discourtesy, internal  
18     affairs investigation of discourtesy, versus a -- any  
19     type of discipline that could result from a -- an  
20     officer-involved fatality; right?

21                 So let's -- I just want to kind of  
22     disclaimer that those two things are similar in  
23     process, and I think that's something that's important  
24     to me as, obviously, the PMK here today and have  
25     been -- having been part of this process of the

1 department -- is those processes should be as similar  
2 as absolutely possible.

3 So I think if you're speaking -- and  
4 probably best to -- to start in general terms, which  
5 is an internal -- or let's call it an -- let me back  
6 up, back up and slow down.

7 When we talk about this process, terms are  
8 important, in my opinion. So whether you have a  
9 citizen's complaint, whether you have an internal --  
10 inquiry resolution, whether you have an internal  
11 affairs investigations -- which we commonly call -- if  
12 you hear, quote-unquote, an "IA" -- I just want to be  
13 clear that, in all of these processes, these are all  
14 administrative investigations.

15 And POBR Government Code 3300, all of those  
16 concepts apply. So the process is governed,  
17 essentially, by that.

18 Now, there's going to be varying levels of  
19 degrees related to how complex we go and how vast and  
20 comprehensive the investigations are, depending on the  
21 nature of the allegations. But those things are all  
22 the same.

23 So from a high level, there is some type of  
24 investigation or inquiry, administrative inquiry or  
25 investigation. That will produce -- and if discipline

1 is going to result from that review, inquiry, or  
2 investigation, there is a review process through the  
3 chief of police.

4 And if the decision is made that discipline  
5 is appropriate, you have a couple of steps. How you  
6 do that process that I just described -- one thing  
7 that I found, in my experience, the one consistency is  
8 that it is inconsistently done throughout the  
9 industry.

10 There's different ways that people do  
11 administrative investigations of certain types.  
12 There's certain departments that do every case the  
13 exact same way; these are often large departments that  
14 have vast internal affairs divisions with multiple  
15 investigators.

16 Then you have some departments that are very  
17 small that don't even have an internal affairs  
18 investigator that just bear this burden on  
19 supervisors, and they have no standardized process.

20 I -- I find us being kind of in the middle.  
21 And I think we have a fairly good process. Once that  
22 administrative investigation is completed, whatever  
23 that investigation report looks like, discipline -- if  
24 discipline is going to result -- the -- then this is  
25 where it gets more standardized, 'cause there's labor

1 laws involved -- a notice of intent to discipline is  
2 issued to the employee.

3 That -- that employee has the option to have  
4 some type of pre-disciplinary hearing, depending on  
5 the level of discipline. They can have a Skelly  
6 hearing, depending on if it is a lower level of  
7 discipline that's intended.

8 Some departments -- we do have an  
9 administrative process for things such as written  
10 reprimands.

11 Once that -- once that notice of intent to  
12 discipline -- called a "NOID," N-O-I-D, is what we  
13 call it -- and that pre-discipline review process  
14 occurs, we can then issue what's called a NOD, N-O-D,  
15 "notice of discipline." That notice of discipline is  
16 then the final discipline from the department.

17 And then, depending on the severity of the  
18 discipline, as you guys know as attorneys, you have  
19 the arbitration process, et cetera, et cetera, that  
20 goes from there through civil service.

21 So that's kind of a general, overall  
22 process. When you embark on a due process of -- of  
23 the discipline process, you have to have supporting  
24 documents of your investigation to support the  
25 discipline that you imposed. What those reports look

1     like are done very differently by -- by different  
2     agencies.

3             We have the system which I had just talked  
4     to you about about -- through IAPro and having those  
5     unique numbers. The -- the reports that we produce,  
6     for example, when an officer is involved in a  
7     collision -- I'm giving you a hypothetical example.

8             If an officer's involved in a collision, we  
9     do what's called a "collision review." That produces  
10    a type of administrative investigative report that  
11    looks very different than a citizen complaint  
12    investigative report. But the premise is the same:  
13    proving the -- that there was a policy violation that  
14    occurs that will support the intended discipline.  
15    Hoping that kind of makes sense.

16            I think what we can do, at some point, is  
17    you obviously break off into, then, officer-involved  
18    shootings or officer-involved fatalities that take on  
19    a -- a whole -- not a different but a much more robust  
20    and comprehensive process that could, ultimately, at  
21    the end of the day, if said administrative  
22    investigations or reviews trigger the discipline  
23    process, then that secondary process that I just  
24    described would be similar or the same.

25            Q     So just a question about -- when the chief

1 decides that he does want to implement discipline, is  
2 it his discretion as to whether it's a counseling  
3 memo, a five-day suspension, termination? Is that a  
4 discretionary thing, or are there certain parameters  
5 that --

6 A At -- okay. At the time, 2014 to 2020, the  
7 chief of police was the decider of discipline within  
8 our department. Now, that is done, clearly, as a  
9 department head in consultation with human resources  
10 and city attorney's office. But, ultimately -- and,  
11 you know, obviously, his -- his or her boss, the city  
12 manager, in consultation.

13 However, the notice of intent to discipline  
14 and the level of discipline that's decided is the  
15 chief of police's decision. The "notice of intent to  
16 discipline" memo that's given to the employee is from  
17 the chief of police.

18 And at the time -- at the time of this  
19 incident, there -- we had no what some places call a  
20 "discipline matrix," what we currently call a  
21 "corrective action guideline," which is more what  
22 you're describing, John.

23 I -- at the time, though, we did not have  
24 that. It was based upon what's reasonable, what is  
25 not disparate as -- as it relates to other similar

1 incidents that have occurred. So there's a disparate  
2 treatment analysis.

3 There's kind of a -- what's in their  
4 personnel file, what's their prior history. I -- so I  
5 don't want to necessarily call it "arbitrary."

6 But I -- I would call it -- that it is a --  
7 you know, kind of a decision that's made based on  
8 several factors to include past discipline, severity  
9 of the allegation, and, you know, those type of  
10 things.

11 Hopefully, that kind of answers what you're  
12 talking about.

13 Q It does. It does. I want to switch over to  
14 the early warning systems, you know, early detection,  
15 you know, both for uses of force and deadly force.  
16 But let's start with uses of force.

17 From 2014 to 2020, was there any program or  
18 process in place for early warning, flagging officers  
19 that may be susceptible to using excessive force based  
20 on any type of rubric?

21 A Yes and no. So -- and I'll explain. I do  
22 have probably a little bit of -- a little bit above-  
23 average knowledge -- knowledge on what I call "early  
24 intervention systems." Some -- some are called "early  
25 warning systems."

1           Through our IAPro use-of-force entry  
2 software -- so IAPro is the company that is our -- our  
3 software system. Within the IAPro company, they offer  
4 software that we currently use and used at the time,  
5 which is -- you have the ability to purchase software  
6 called BlueTeam. I don't know if you -- you've heard  
7 that term, hopefully, during this process.

8           There's a software system that is owned by  
9 IAPro that is called BlueTeam. That is the mechanism  
10 in which our officers, supervisors, managers input,  
11 review, route electronically our use of force.

12           In -- in the BlueTeam software, it does have  
13 the capability of having a early intervention system.  
14 It -- within it, it's called "EI system." At the time  
15 of this incident in 2014 to 2020, during that time, we  
16 did have and implement the BlueTeam software and did  
17 have the early intervention capability within the  
18 software.

19           However, at that time, we did not have a  
20 policy. We did not have a procedure. We had not made  
21 the decision as a department of what the individual  
22 threshold is.

23           So when you talk about an early warning  
24 system or an early intervention system, you have to  
25 set departmental thresholds for use of force,

1 complaints, pursuits, arrest. I mean, you can -- you  
2 can decide the gamut of what your early intervention  
3 system thresholds include, what the numbers are.

4 We have had those discussions, in fact. And  
5 we provided Chief Williams, at the time, a PowerPoint  
6 presentation -- this was after the Monterrosa incident  
7 in 2020 -- about what the capabilities of the BlueTeam  
8 EI system was, what we would have to do, and the  
9 decisions we would have to make.

10 But at the time -- so the -- the plain  
11 answer to your question is, yes, we have the  
12 capability in the software; however, we did not have  
13 the infrastructure, the system, the policy, the  
14 thresholds in place to implement it. So it was a  
15 feature that we had in the system that was not  
16 activated.

17 Q Understood. Is there any type of program or  
18 policy in place -- you know, I call it an "early  
19 warning" -- or I think you said an "early intervention  
20 system" -- for deadly force?

21 And what I mean by that is were there any  
22 systems in place where officers who had used deadly  
23 force once or twice or three times within a certain  
24 time period would -- it would trigger additional  
25 training or additional retraining? Anything like

1     that?

2           A     No.  So, again, kind of going back to my --  
3     my discussion about the early intervention systems,  
4     those things could be tracked.  Again, we had -- we  
5     had not unlocked that software.

6                     So those specific type of incidents are not  
7     tracked in any different type of way.  They're not --  
8     they're not tracked and/or reviewed or any separate  
9     entities implemented as part of a system.

10                    Now, let me just -- I think it's worth kind  
11    of clarifying that, you know, things such as officer-  
12    involved shootings are a fairly low-frequency, high-  
13    risk event, if you will.

14                    So although we didn't have a software system  
15    in place, I don't want to give the impression as the  
16    PMK that those things -- as a department, we were just  
17    kind of tone-deaf to those things, if that makes  
18    sense.

19                    Like, those are things that we're aware of.  
20    Those are things that we would review.  There is some  
21    processes that could be triggered through a CIRB board  
22    review, things that maybe a subject matter expert  
23    could say, "Hey, I think, based upon this incident,  
24    everything was justified.  However, I think this  
25    individual employee could benefit from blank

1 training."

2           Probably, as I testify here today, when you  
3 look back on processes, the area we had for  
4 improvement in that area is "Where is that tracked?  
5 Where is it documented? Who keeps track that it  
6 occurred? When did it occur?" Those are things that  
7 we've since improved.

8           But, again, looking back at that time, that  
9 is kind of the -- one of the things that we had done  
10 but don't have really good records about. And I will  
11 finish with saying, you know, we are a fairly small-  
12 sized department in the scheme of the greater area and  
13 the metropolitan areas that we're -- we're in.

14           And I just want to, you know, kind of make  
15 it clear that, being a department of our size, these  
16 type of things are easier to track.

17           And I know that -- you know, I'm kind of  
18 being slightly joking -- as attorneys, I get that "if  
19 it's not written down in some kind of document, you  
20 know, we don't like it." And informal processes are  
21 hard to prove after the fact. I -- you know, I'm  
22 fully aware of that, and I -- and I'm -- and I  
23 recognize that.

24           But in departments of our size, that is not  
25 uncommon or is not "not industry standard" to kind of

1 do some of these things informally because we are so  
2 small, and we are able to kind of keep track of trends  
3 or different things we are seeing.

4 That doesn't mean that we haven't now vastly  
5 improved our -- our processes, I think, which is  
6 important. But back then, I just want to make sure  
7 that I'm clear that those are -- those are things that  
8 were done, things that were discussed, but we did  
9 probably not do a good job of documenting and tracking  
10 that.

11 Q Okay. So you mentioned, briefly, you know,  
12 there could be a subject matter expert who says, "Hey,  
13 this officer should go get some additional training on  
14 this."

15 So those decisions were made, sort of, on a  
16 case-by-case basis. There wasn't any type of, you  
17 know, formal policy that after you're involved in a  
18 police-involved shooting, you go requalify at the  
19 range and retake the use-of-force class or anything  
20 like that?

21 A Correct. The only thing that -- you know,  
22 the only thing that was kind of standardized was a  
23 mental-wellness psychology standpoint is that is  
24 something that we pretty much blanketly, across the  
25 board, have always done is, when an officer is

1 involved in an officer-involved shooting -- regardless  
2 if it was fatal or nonfatal -- they would be put off  
3 on routine administrative -- administrative leave and  
4 would not -- generally would not come back -- not  
5 "generally" -- would not come back to full duty until  
6 they spoke to a police psychologist, were deemed by  
7 that psychologist to be fit for duty.

8 I know that's not exactly what you're  
9 referring to. But that would be kind of a  
10 standardized process.

11 In terms of physical police training, that  
12 would be something that was on a case-by-case basis.  
13 But as I sit here today, there's not a -- an example  
14 that I can think of -- that's not to say it didn't  
15 occur -- that I can think of that -- that we as a  
16 department would have actually said, "Nope. That  
17 officer can't -- can't come back until they physically  
18 do X, Y, Z."

19 Q Understood. And, so, I guess that sort of  
20 answers -- your last two answers sort of answers the  
21 issues in Category 11 about formal collection analysis  
22 of data related to officer-involved shooting  
23 incidents.

24 Am I correct that you're tracking the  
25 number, where they are in this CIRB process, but

1     there's no, sort of, large-scale data because --  
2     analytics because there just aren't that many?

3             A     Probably fair. We -- we have also -- we  
4     also had -- again, this is definitely more tracking in  
5     nature, to your point.

6                     We had an officer-involved shooting log, you  
7     know, that would track the -- the officer involved,  
8     the date of incident, the suspect's name, the case  
9     number, whether it was fatal or nonfatal.

10                    So -- that's not exactly what you're talking  
11    about, but if you were to look at said log over the  
12    past ten years as a police administrator, an internal  
13    affairs investigator, you could look at that, and that  
14    would denote, "Hey, this officer's name comes up two  
15    times, three times."

16                    So although that's not exactly what you're  
17    talking about, it is a form or mechanism thereof of  
18    tracking that -- it's much more tracking in nature.  
19    But it would be a mechanism that you would get to  
20    review the information on one document all in front of  
21    you.

22                    And that is something that we've produced,  
23    you know -- I don't -- say "produce." That is  
24    something that we have maintained over the years  
25    pretty consistently.

1           Q     Okay. All right. I think now's a good time  
2     to take five or ten minutes, a little bathroom break.

3                     I think some of the next few categories, the  
4     remaining categories, are things you've already  
5     covered. So I just want to go back through my notes  
6     and then look at these categories and -- you know, I  
7     don't think we're going to have too much longer.

8                     So why don't we just take about ten minutes.  
9     Does that makes sense?

10          A     Sounds good.

11                     THE REPORTER: Off the record at  
12     2:26 p.m.

13                     (Off the record.)

14                     THE REPORTER: Okay. Back on the  
15     record. 2:36 p.m.

16                     You may proceed.

17     BY MR. COYLE:

18           Q     So before I get into it, I just have to ask:  
19     Any relation to Katelyn? Long-lost cousins or just an  
20     English settling area there in Vallejo?

21          A     Yeah. We -- we've -- we've done the  
22     research, and there's no relation.

23          Q     Okay.

24                     So I'm looking at the topics, and I think  
25     we've sort of covered Topics 17 and 18.

1           And I think I know the answer to 16, but --  
2     pull it back up -- so I think 16, you know, "The  
3     evaluation, assessment, review, or reform of the  
4     critical incident review or Critical Incident Review  
5     Board as well as any differences in the operation of  
6     the board or the review from 2014 through June of  
7     2020."

8           Am I correct that we kind of covered that  
9     with our discussion about sort of the discussions  
10    about what things were being reviewed and different  
11    sort of focuses of different leaders as they moved  
12    through?

13          A     Yeah. I think, in general, I think -- I  
14    think -- I hope you get the general concept of -- of  
15    kind of what I've -- what we've talked about.

16          Q     But I'm correct that there were no policy --  
17    I think you mentioned this. There was no policy  
18    changes to the way the critical incident review  
19    process worked?

20          A     No. When I looked at all -- kind of the  
21    various iterations of our policy manual, that policy  
22    has stayed fairly consistent, if not the same.

23          Q     All right. So, then, we're onto the last  
24    topic. And that's sort of generalized, and I am sure,  
25    you know, some of the things we've already discussed,

1     you know, feed into this. "Oversight and  
2     accountability structures in place at the VPD from  
3     June of 2010 to June of 2020." So that's a ten-year  
4     period there.

5             What I'm looking for is, you know, are there  
6     any type of oversight/accountability-type structures  
7     in place, outside of, you know, command staff and the  
8     things we've already discussed? You know, is there  
9     anything else that was in place, in existence that we  
10    haven't touched on today?

11            A     I -- I think it's worth -- well, it's  
12    definitely within the time frame, so I kind of will  
13    start with most current, and maybe we can kind of work  
14    our way back to which is more of the traditional  
15    organizational structure that you just talked about.

16             We did have the OIR Group report, an  
17    assessment of our department for areas for  
18    improvement. You've already referenced that, I think,  
19    earlier in the deposition. That occurred in May of  
20    2020.

21             I believe the report I have -- the PDF is  
22    dated May 22nd of 2020. Not exactly sure, but that --  
23    but that's the date I have that's on the PDF. So --  
24    but it definitely is prior to this incident.

25             That was a pretty substantial, thorough

1 review of our department in terms of strengths that we  
2 have, areas in need of improvement, opportunities to  
3 improve, and different things like that. So that was  
4 something that's been somewhat of a guiding document  
5 as we've moved forward.

6 But as you -- as you get kind of prior to  
7 that, the -- the oversight and accountability  
8 structures become more traditional, if you will: a  
9 chief of police, a city attorney, a city manager,  
10 incidents, and review of said incidents.

11 You have a layer of independent review of  
12 critical incidents, such as a district attorney's  
13 office, and a joint investigation with a district  
14 attorney and criminal investigators of your  
15 department.

16 And you kind of go back more towards -- more  
17 towards those traditional oversight and accountability  
18 models.

19 Q So what type of role -- what circumstances  
20 or what type of roles did the city attorney, the city  
21 manager play in, you know, the oversight of the  
22 department? Was it just, you know, the general -- you  
23 know, city manager is the police chief's boss? Or  
24 were there times when they were brought in on specific  
25 topics or specific areas to discuss?

1 MS. KNIGHT: Without getting into  
2 attorney-client privileged information. But you can  
3 speak generally about, you know, when guidance is  
4 sought habitually or by policy or ...

5 THE WITNESS: Yep. Okay.

6 Yeah. I can speak in general. There  
7 is one thing that I think that's worth starting with,  
8 which is -- Vallejo is -- I don't want to say  
9 "unique."

10 But it is -- it is a city that is a  
11 strong city manager city with a city attorney that  
12 does not work for the city manager -- does not report  
13 to or work for -- does not work or report for the  
14 police chief.

15 It is a separate entity that gives  
16 legal guidance and legal advice to different  
17 departments -- human resources, the police department,  
18 the fire department, public works. And that entity of  
19 the city attorney works with the city manager, not  
20 for, if that makes sense.

21 So I think, in general terms, the  
22 oversight and accountability aspect would be a  
23 legal -- legal guidance or, you know, the police  
24 department, for lack of a better term, would be one --  
25 one of the city attorney's clients to give, kind of,

1 legal guidance.

2 But as I had talked about before, you  
3 know, the chief of police, you know, is the decider  
4 of, you know, various things within their own  
5 department. So hopefully that answers your question.

6 BY MR. COYLE:

7 Q Okay. So what about the city manager? When  
8 is the city manager involved? Is it just sort of an  
9 ongoing conversation with the chief? Or is there  
10 specific times where you say, "Hey, we want to look at  
11 how we're doing, X, Y, and Z," and the city manager  
12 gets brought in?

13 A I think probably the simplest way to  
14 describe that is it's not unlike any boss-subordinate  
15 relationship, where, you know, your boss gives you  
16 certain autonomy to do certain things, especially in  
17 city government where a police chief would, in theory,  
18 have specialized experience or expertise in running  
19 the department where a city manager may not have that  
20 exact expertise.

21 But, you know, I wouldn't say, also, it's  
22 not uncommon for a police chief to run things by their  
23 boss, the city manager, and get their take on things.  
24 And, ultimately, it is -- the city manager does run  
25 the city in our -- in our city of government, type of

1 government.

2 So, yeah, I think it's just kind of a -- you  
3 know, it's just a -- a boss-subordinate-type  
4 relationship that you have that -- those type of  
5 communication discussions.

6 Q Okay. And that OIR Group, that was sought  
7 out and funded by the City?

8 A Yes.

9 Q Okay.

10 MR. COYLE: All right. I don't have  
11 any further questions. Katelyn or Derick may have  
12 some.

13 MS. KNIGHT: I do not.

14 Derick?

15 MR. KONZ: Nope. No questions.

16 Thanks.

17 MR. COYLE: Easy-peasy.

18 Thanks for your time today, Mr. Knight.  
19 I appreciate it.

20 THE REPORTER: Hang on just one second.  
21 We're off the -- oh, actually, let me ask.

22 Mr. Coyle, you said you needed this  
23 expedited. I just want to get it on the record. How  
24 many business days do you need this transcript by?

25 MR. COYLE: What's expedited? Two?

1 Friday?

2 THE REPORTER: Friday?

3 MR. COYLE: Perfect.

4 THE REPORTER: And, Mr. Konz, are you  
5 ordering a copy?

6 MR. KONZ: No thanks.

7 THE REPORTER: Okay. And then before  
8 everyone leaves, I did have one or two spellings. Let  
9 me go off the record. Hold on -- full screen.

10 Off the record. 2:44 p.m.

11 (Signature reserved.)

12 (Whereupon, at 2:44 p.m., the  
13 proceeding was concluded.)

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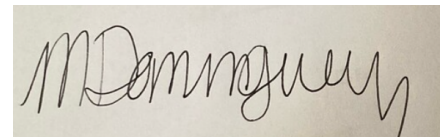
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CERTIFICATE OF DEPOSITION OFFICER

I, MELISSA DOMINGUEZ, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



MELISSA DOMINGUEZ

Notary Public in and for the  
State of New York

[X] Review of the transcript was requested.

## CERTIFICATE OF TRANSCRIBER

I, KASSIE YOUNG, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

A handwritten signature in black ink that reads "Kassie Young". The signature is written in a cursive, flowing style.

KASSIE YOUNG

|                        |                      |                        |                         |
|------------------------|----------------------|------------------------|-------------------------|
| <b>&amp;</b>           | 39:17 40:15          | <b>95825</b> 3:6       | <b>additionally</b>     |
| <b>&amp;</b> 3:4       | 41:7 48:7 49:3       | <b>a</b>               | 5:14                    |
| <b>0</b>               | 49:20,22             | <b>ability</b> 25:13   | <b>adjustment</b>       |
| <b>01563</b> 1:8       | <b>2024</b> 1:13 5:8 | 40:5 55:10             | 29:23                   |
| <b>1</b>               | <b>215</b> 2:9       | 56:7                   | <b>administer</b>       |
| <b>1</b> 4:7 10:22,23  | <b>2250</b> 2:6      | <b>able</b> 44:2       | 5:11                    |
| 11:3,12 12:4           | <b>22nd</b> 49:22    | <b>above</b> 22:20     | <b>administrative</b>   |
| <b>10</b> 1:13 4:8 5:8 | <b>25</b> 10:11      | 39:22                  | 11:14,20 12:17          |
| <b>11</b> 11:3 45:21   | <b>29440</b> 56:14   | <b>absent</b> 5:14     | 12:25 13:10             |
| <b>111</b> 1:17 5:8    | <b>2:20</b> 1:8      | <b>absolutely</b> 34:2 | 14:5 15:10              |
| <b>123</b> 2:6         | <b>2:26</b> 47:12    | <b>accountability</b>  | 27:22,25,25             |
| <b>150</b> 3:5         | <b>2:36</b> 47:15    | 49:2,6 50:7,17         | 28:8 29:6,8,12          |
| <b>16</b> 11:3 48:1,2  | <b>2:44</b> 54:10,12 | 51:22                  | 32:25 33:6              |
| <b>17</b> 11:3 47:25   | <b>3</b>             | <b>accurate</b> 20:19  | 34:14,24 35:11          |
| <b>18</b> 11:3 47:25   | <b>30709</b> 55:16   | 55:9 56:5              | 35:22 36:9              |
| <b>19</b> 11:3         | <b>3300</b> 34:15    | <b>accurately</b> 9:17 | 37:10,21 45:3           |
| <b>19109</b> 2:7       | <b>367-5151</b> 2:9  | <b>acknowledg...</b>   | 45:3                    |
| <b>1998</b> 10:5       | <b>5</b>             | 5:10                   | <b>administrator</b>    |
| <b>1999</b> 10:10      | <b>555</b> 2:15      | <b>act</b> 22:14       | 46:12                   |
| <b>1:35</b> 1:14 5:5   | <b>564-6100</b> 3:8  | <b>action</b> 1:7      | <b>advice</b> 51:16     |
| <b>2</b>               | <b>6</b>             | 32:20 38:21            | <b>affairs</b> 19:25    |
| <b>2</b> 11:3,12 12:4  | <b>6</b> 4:3         | 55:12,16 56:8          | 20:7,11,14              |
| 22:1                   | <b>601</b> 3:5       | 56:12                  | 21:14 28:7              |
| <b>2010</b> 49:3       | <b>648-4388</b> 2:18 | <b>activated</b> 41:16 | 31:15 32:24             |
| <b>2014</b> 23:1       | <b>6780519</b> 1:20  | <b>actual</b> 15:9     | 33:18 34:11             |
| 24:16,21,22            | <b>7</b>             | 16:18 30:24            | 35:14,17 46:13          |
| 26:25 30:8             | <b>707</b> 2:18      | 31:6                   | <b>aftereffect</b> 17:8 |
| 38:6 39:17             | <b>8</b>             | <b>actually</b> 8:21   | <b>afternoon</b> 5:2    |
| 40:15 48:6             | <b>8</b> 11:3 19:21  | 15:5 18:7              | <b>agencies</b> 13:9    |
| <b>2020</b> 21:5,24    | <b>9</b>             | 45:16 53:21            | 29:1 37:2               |
| 22:1 23:1,5,6          | <b>916</b> 3:8       | <b>adam</b> 17:25      | <b>agency</b> 27:14     |
| 24:7,16,22             | <b>94590</b> 1:18    | <b>add</b> 8:14 19:18  | 31:3                    |
| 26:22 27:1             | 2:16 5:9             | <b>additional</b>      | <b>aggregate</b>        |
| 31:7,12 38:6           |                      | 41:24,25 44:13         | 14:11 18:21             |

|  |   |  |   |
|--|---|--|---|
| <p><b>agree</b> 5:12,16<br/> <b>agreed</b> 15:23<br/> <b>ahead</b> 10:15<br/> 19:2,14<br/> <b>akk</b> 3:7<br/> <b>al</b> 1:5,8 5:7,8<br/> <b>alcohol</b> 9:15<br/> <b>allegation</b><br/> 16:11 39:9<br/> <b>allegations</b><br/> 14:2 34:21<br/> <b>alleges</b> 15:4<br/> 16:13<br/> <b>amador</b> 1:17<br/> 5:8<br/> <b>amalgamated</b><br/> 20:3<br/> <b>amount</b> 21:21<br/> 22:8,9<br/> <b>analysis</b> 22:17<br/> 22:21,22,24<br/> 32:2,8,17 39:2<br/> 45:21<br/> <b>analytics</b> 46:2<br/> <b>angelo</b> 3:4<br/> <b>anniversary</b><br/> 10:11<br/> <b>answer</b> 8:8,10<br/> 9:7 30:10,23<br/> 41:11 48:1<br/> <b>answers</b> 25:7<br/> 39:11 45:20,20<br/> 45:20 52:5<br/> <b>anticipate</b> 8:7</p> | <p><b>apologies</b> 24:20<br/> <b>applicable</b> 5:20<br/> <b>application</b><br/> 12:16<br/> <b>apply</b> 34:16<br/> <b>appreciate</b><br/> 30:13 53:19<br/> <b>appropriate</b><br/> 33:7,8,9 35:5<br/> <b>appropriately</b><br/> 32:13<br/> <b>approval</b> 17:9<br/> 17:11 20:16,17<br/> 21:12 27:25<br/> 29:12<br/> <b>arbitrary</b> 39:5<br/> <b>arbitration</b><br/> 36:19<br/> <b>area</b> 43:3,4,12<br/> 47:20<br/> <b>areas</b> 29:22<br/> 43:13 49:17<br/> 50:2,25<br/> <b>arrest</b> 41:1<br/> <b>arts</b> 9:25<br/> <b>aside</b> 29:6<br/> <b>asked</b> 9:6<br/> <b>asking</b> 29:23<br/> <b>aspect</b> 17:3<br/> 51:22<br/> <b>assess</b> 26:6<br/> <b>assessment</b><br/> 16:15 27:9,15<br/> 48:3 49:17</p> | <p><b>assessments</b><br/> 27:6<br/> <b>assigned</b> 5:3<br/> 20:12<br/> <b>assume</b> 32:23<br/> <b>attachments</b><br/> 20:20<br/> <b>attendance</b> 6:2<br/> <b>attention</b> 24:14<br/> <b>attorney</b> 27:17<br/> 50:9,14,20<br/> 51:2,11,19<br/> 55:14 56:10<br/> <b>attorney's</b> 2:14<br/> 25:19 38:10<br/> 50:12 51:25<br/> <b>attorneys</b> 3:4<br/> 26:9 36:18<br/> 43:18<br/> <b>audio</b> 55:8 56:3<br/> <b>audit</b> 21:13<br/> 24:2,3 31:19<br/> 32:7,17<br/> <b>auditing</b> 24:4<br/> 31:16<br/> <b>audits</b> 19:22<br/> 22:4 31:15<br/> <b>autonomy</b><br/> 52:16<br/> <b>avenue</b> 3:5<br/> <b>average</b> 39:23<br/> <b>aware</b> 10:18<br/> 22:2 42:19<br/> 43:22</p> | <p><b>b</b></p> <p><b>b</b> 4:5 26:16<br/> <b>bachelor</b> 9:25<br/> <b>back</b> 14:12<br/> 17:22 21:15<br/> 29:14 30:8<br/> 31:17 34:5,6<br/> 42:2 43:3,8<br/> 44:6 45:4,5,17<br/> 47:5,14 48:2<br/> 49:14 50:16<br/> <b>background</b><br/> 7:9 9:22<br/> <b>based</b> 32:7,8,8<br/> 38:24 39:7,19<br/> 42:23<br/> <b>basis</b> 44:16<br/> 45:12<br/> <b>bathroom</b> 9:11<br/> 47:2<br/> <b>bear</b> 35:18<br/> <b>behalf</b> 2:2,11<br/> 3:2 6:4,6 7:6<br/> 8:19<br/> <b>believe</b> 25:21<br/> 28:1 49:21<br/> <b>benefit</b> 42:25<br/> <b>best</b> 31:2 34:4<br/> 55:10 56:6<br/> <b>better</b> 25:21<br/> 51:24<br/> <b>bit</b> 17:6 19:15<br/> 24:18,19 29:5<br/> 39:22,22</p> |
|--|---|--|---|

|   |  |  |   |
|---|--|--|---|
| <b>blank</b> 42:25<br><b>blanketly</b> 44:24<br><b>blueteam</b> 40:6<br>40:9,12,16<br>41:7<br><b>board</b> 23:21<br>25:1,3,7,12,14<br>26:4,6,14<br>27:10 28:5,6<br>28:24 29:10,17<br>30:22 42:21<br>44:25 48:5,6<br><b>boards</b> 29:3<br><b>bob</b> 6:7<br><b>body</b> 15:3<br><b>boss</b> 38:11<br>50:23 52:14,15<br>52:23 53:3<br><b>bound</b> 25:4<br><b>break</b> 8:25 9:3<br>9:4,8,9,11<br>37:17 47:2<br><b>briefly</b> 13:18<br>44:11<br><b>bring</b> 13:21<br><b>broad</b> 2:6<br><b>brought</b> 32:13<br>50:24 52:12<br><b>burden</b> 35:18<br><b>bureau</b> 21:1,2<br><b>business</b> 53:24 | <b>ca</b> 1:18 2:16 3:6<br><b>california</b> 1:3<br>5:9 10:3<br><b>call</b> 13:19<br>20:16 23:10<br>26:15,16 34:5<br>34:11 36:13<br>38:19,20 39:5<br>39:6,23 41:18<br><b>called</b> 6:19<br>25:20,22 36:12<br>36:14 37:9<br>39:24 40:6,9<br>40:14<br><b>camera</b> 15:3<br><b>capabilities</b><br>41:7<br><b>capability</b><br>40:13,17 41:12<br><b>captain</b> 20:23<br>21:1 28:22<br>29:4,15<br><b>captains</b> 20:24<br>21:2<br><b>career</b> 17:19<br><b>case</b> 23:11,22<br>24:25 35:12<br>44:16,16 45:12<br>45:12 46:8<br><b>cases</b> 20:9,10<br>23:17,18<br><b>categories</b> 11:3<br>11:12 16:16<br>28:15 29:5<br>47:3,4,6 | <b>categorized</b><br>16:5<br><b>category</b> 12:3<br>19:21 45:21<br><b>cause</b> 35:25<br><b>caused</b> 30:24<br><b>cc</b> 14:20 23:19<br><b>ccs</b> 15:9<br><b>certain</b> 35:11<br>35:12 38:4<br>41:23 52:16,16<br><b>certainly</b> 30:14<br><b>certificate</b> 55:1<br>56:1<br><b>certified</b> 5:16<br><b>certify</b> 55:4<br>56:2<br><b>cetera</b> 36:19,19<br><b>change</b> 28:9<br>30:19,19,24<br><b>changed</b> 20:24<br><b>changes</b> 48:18<br><b>changing</b> 26:8<br><b>check</b> 21:16<br>23:23<br><b>chief</b> 6:7 10:7<br>17:10 21:3,5,6<br>21:10 25:14<br>35:3 37:25<br>38:7,15,17<br>41:5 50:9<br>51:14 52:3,9<br>52:17,22<br><b>chief's</b> 50:23 | <b>cirb</b> 13:1 26:16<br>26:16 27:22<br>29:14 30:4,15<br>30:20 31:16,18<br>32:24 42:21<br>45:25<br><b>circumstances</b><br>50:19<br><b>citizen</b> 14:21<br>15:4 16:12,25<br>17:5,7,8 37:11<br><b>citizen's</b> 14:7,9<br>14:18 16:6<br>18:14 22:10<br>34:9<br><b>citizens</b> 11:15<br>14:4<br><b>city</b> 1:8,12 2:11<br>2:14 5:7 6:7<br>7:2,6 8:20<br>19:23,25 21:12<br>38:10,11 50:9<br>50:9,20,20,23<br>51:10,11,11,11<br>51:12,19,19,25<br>52:7,8,11,17,19<br>52:23,24,25,25<br>53:7<br><b>cityofvallejo....</b><br>2:17<br><b>civil</b> 1:7 36:20<br><b>civilian</b> 16:12<br><b>clara</b> 2:15<br><b>clarifying</b><br>42:11 |
| <b>c</b>  |  |  |   |
| <b>c</b> 2:1 3:1 5:1<br>26:16   |  |  |   |

|   |  |   |   |
|---|--|---|---|
| <b>class</b> 44:19<br><b>classifications</b> 16:10<br><b>classified</b> 15:7 16:7,16,23<br><b>classify</b> 32:7<br><b>clear</b> 34:13 43:15 44:7<br><b>clearance</b> 25:22<br><b>clearly</b> 12:12 12:16 15:2 16:20 28:17 38:8<br><b>client</b> 51:2<br><b>clients</b> 51:25<br><b>close</b> 24:6<br><b>closer</b> 24:18<br><b>code</b> 34:15<br><b>coffee</b> 9:4<br><b>collection</b> 45:21<br><b>collectively</b> 29:16<br><b>collision</b> 23:20 23:20 37:7,8,9<br><b>collisions</b> 22:12<br><b>come</b> 14:14 16:9 26:11 28:6 29:14,17 45:4,5,17<br><b>comes</b> 16:11 23:16 46:14<br><b>coming</b> 10:11 29:20 | <b>command</b> 21:4 22:16,18 28:7 49:7<br><b>commander</b> 17:12<br><b>comments</b> 29:15<br><b>commonly</b> 34:11<br><b>communication</b> 53:5<br><b>company</b> 40:2 40:3<br><b>compared</b> 22:25<br><b>comparison</b> 22:23<br><b>complaint</b> 14:18,19,21 15:1,6 16:6,6 16:11,15,19,22 16:25 17:5,7,9 34:9 37:11<br><b>complaints</b> 11:16 13:23 14:3,4,7,9,13 14:17,23 15:1 15:16 18:13,14 22:9,10 41:1<br><b>complete</b> 28:23<br><b>completed</b> 9:24 20:10 25:6 32:11 35:22<br><b>completely</b> 31:8 | <b>completion</b> 25:15<br><b>complex</b> 34:19<br><b>comprehensive</b> 12:15 34:20 37:20<br><b>comprised</b> 28:7<br><b>concept</b> 48:14<br><b>concepts</b> 34:16<br><b>conceptually</b> 32:21<br><b>concluded</b> 54:13<br><b>condition</b> 9:16<br><b>conducted</b> 15:15 27:3<br><b>consider</b> 24:3<br><b>considerations</b> 31:4<br><b>consistency</b> 35:7<br><b>consistent</b> 31:13 48:22<br><b>consistently</b> 46:25<br><b>constitute</b> 5:24<br><b>constructed</b> 30:6<br><b>constructive</b> 28:16<br><b>consultation</b> 38:9,12<br><b>cont'd</b> 3:1<br><b>contained</b> 14:24 | <b>context</b> 30:12<br><b>control</b> 12:12 21:16<br><b>convened</b> 29:3<br><b>convening</b> 25:6 25:14 26:4,7<br><b>conversation</b> 29:9 52:9<br><b>copy</b> 54:5<br><b>corporate</b> 1:11 4:7 7:4 8:18 10:25<br><b>correct</b> 10:8 44:21 45:24 48:8,16<br><b>corrective</b> 38:21<br><b>counsel</b> 55:11 55:14 56:7,10<br><b>counsel's</b> 11:2<br><b>counseling</b> 33:7 38:2<br><b>count</b> 14:12 18:8<br><b>county</b> 12:17<br><b>couple</b> 9:2 11:1 20:24 22:5 25:11 31:17 35:5<br><b>course</b> 15:6<br><b>court</b> 1:1 7:20 7:24 13:21 32:13<br><b>courtesy</b> 8:11 |
|---|--|---|---|

|  |   |  |  |
|--|---|--|--|
| <b>cousins</b> 47:19<br><b>covered</b> 47:5<br>47:25 48:8<br><b>coyle</b> 2:4 4:3<br>6:4,4,24 7:1<br>10:19 15:12,25<br>16:1 18:22,25<br>19:9,13,16<br>24:17,20,22,23<br>26:19 47:17<br>52:6 53:10,17<br>53:22,25 54:3<br><b>created</b> 20:20<br><b>credibility</b><br>18:13<br><b>criminal</b> 12:18<br>12:25 25:15,17<br>25:18,23 50:14<br><b>critical</b> 11:15<br>13:1 23:21<br>24:15 25:1,2,6<br>25:12 26:13,23<br>27:2,10 28:23<br>29:2 30:21<br>48:4,4,18<br>50:12<br><b>cue</b> 12:6<br><b>culpability</b><br>25:24<br><b>cup</b> 9:3<br><b>current</b> 21:4<br>49:13<br><b>currently</b> 10:6<br>21:6 38:20<br>40:4 | <b>customizable</b><br>13:16<br><b>cutting</b> 24:6<br><b>cv</b> 1:8<br><br><b>d</b><br><br><b>d</b> 4:1 5:1 36:12<br>36:14<br><b>da</b> 26:11<br><b>da's</b> 25:17<br><b>data</b> 13:4 19:25<br>20:4 45:22<br>46:1<br><b>date</b> 1:13 18:3<br>18:3 22:1 46:8<br>49:23<br><b>dated</b> 49:22<br><b>day</b> 12:9,9 13:5<br>13:5 33:8<br>37:21 38:3<br><b>days</b> 53:24<br><b>deadly</b> 12:16<br>39:15 41:20,22<br><b>deaf</b> 42:17<br><b>dealing</b> 31:25<br>32:3<br><b>debates</b> 27:21<br>28:17<br><b>decide</b> 41:2<br><b>decided</b> 38:14<br><b>decider</b> 38:7<br>52:3<br><b>decides</b> 38:1<br><b>decision</b> 25:19<br>28:1,1 29:13<br>31:4 33:7 35:4 | 38:15 39:7<br>40:21<br><b>decisions</b> 41:9<br>44:15<br><b>deemed</b> 45:6<br><b>defendant</b> 2:11<br>3:2 6:10<br><b>defendants</b> 1:9<br><b>deficient</b> 27:12<br><b>definitely</b> 7:14<br>46:4 49:12,24<br><b>degree</b> 10:1<br><b>degrees</b> 34:19<br><b>delay</b> 26:13<br><b>denote</b> 46:14<br><b>denotes</b> 14:22<br><b>department</b><br>1:16 10:7<br>13:11 20:5<br>26:5,21 27:16<br>28:6 29:20<br>31:3 34:1<br>36:16 38:8,9<br>40:21 42:16<br>43:12,15 45:16<br>49:17 50:1,15<br>50:22 51:17,18<br>51:24 52:5,19<br><b>departmental</b><br>22:19 40:25<br><b>departments</b><br>35:12,13,16<br>36:8 43:24<br>51:17 | <b>depending</b><br>34:20 36:4,6<br>36:17<br><b>depends</b> 12:3<br><b>deponent</b> 6:7<br>8:19<br><b>deposition</b> 1:11<br>4:8 5:6,22 7:1<br>7:10 11:22<br>17:23 19:4<br>49:19 55:1<br><b>depth</b> 12:6,21<br><b>deputy</b> 6:7 10:7<br>21:5,6<br><b>derick</b> 3:3 6:9<br>53:11,14<br><b>describe</b> 25:4<br>52:14<br><b>described</b> 24:2<br>35:6 37:24<br><b>describing</b><br>38:22<br><b>description</b> 4:6<br><b>designee</b> 1:11<br>4:7 7:5 10:25<br><b>detail</b> 19:19<br><b>detection</b> 39:14<br><b>detective</b> 18:11<br><b>determination</b><br>26:3<br><b>determine</b><br>25:23<br><b>difference</b><br>16:17 17:7 |
|--|---|--|--|

|  |   |   |  |
|--|---|---|--|
| <b>differences</b><br>48:5<br><b>different</b> 12:20<br>15:21 28:5,25<br>29:5,9,14,22,25<br>30:4,21 31:1,8<br>35:10 37:1,11<br>37:19 42:7<br>44:3 48:10,11<br>50:3 51:16<br><b>differently</b> 37:1<br><b>digital</b> 55:8<br>56:3<br><b>directed</b> 11:1<br><b>disapproval</b><br>27:25 29:7,8<br>32:25 33:6<br><b>disciplinary</b><br>32:20 33:1,5<br>36:4<br><b>discipline</b><br>33:19 34:25<br>35:4,23,24<br>36:1,5,7,12,13<br>36:15,15,16,18<br>36:23,25 37:14<br>37:22 38:1,7<br>38:13,14,16,20<br>39:8<br><b>disclaimer</b><br>21:19 33:22<br><b>discourtesy</b><br>33:17,18<br><b>discovery</b><br>15:15 | <b>discretion</b> 38:2<br><b>discretionary</b><br>38:4<br><b>discuss</b> 23:16<br>50:25<br><b>discussed</b> 44:8<br>48:25 49:8<br><b>discussion</b> 42:3<br>48:9<br><b>discussions</b><br>27:9,19,20,21<br>28:16,20 30:2<br>30:14,17,18<br>31:21 41:4<br>48:9 53:5<br><b>dishonesty</b> 16:3<br><b>disparate</b> 38:25<br>39:1<br><b>dispelled</b> 15:3<br><b>disposed</b> 16:24<br><b>disposition</b><br>14:22<br><b>dispute</b> 17:3<br><b>dissimilar</b><br>12:15<br><b>district</b> 1:1,2<br>25:19 26:9<br>27:17 50:12,13<br><b>division</b> 17:12<br>23:15<br><b>divisions</b> 35:14<br><b>dkonz</b> 3:7<br><b>document</b><br>43:19 46:20<br>50:4 | <b>documentation</b><br>32:18<br><b>documented</b><br>43:5<br><b>documenting</b><br>44:9<br><b>documents</b><br>36:24<br><b>doing</b> 23:2 32:7<br>52:11<br><b>dominguez</b><br>1:19 5:3 55:2<br>55:17<br><b>double</b> 21:16<br><b>dozen</b> 7:15<br><b>draft</b> 29:4<br><b>drugs</b> 9:15<br><b>due</b> 36:22<br><b>duly</b> 6:19 55:5<br><b>duty</b> 45:5,7<br><b>e</b><br><b>e</b> 2:1,1 3:1,1 4:1<br>4:5 5:1,1<br><b>earlier</b> 49:19<br><b>early</b> 39:14,14<br>39:18,23,24<br>40:13,17,23,24<br>41:2,18,19<br>42:3<br><b>easier</b> 43:16<br><b>eastern</b> 1:2<br><b>easy</b> 53:17<br><b>education</b> 9:23<br><b>ei</b> 40:14 41:8 | <b>either</b> 25:24,24<br><b>elections</b> 26:9<br><b>electronically</b><br>40:11<br><b>embark</b> 36:22<br><b>employed</b> 10:6<br>55:11,14 56:8<br>56:11<br><b>employee</b> 18:2<br>36:2,3 38:16<br>42:25 55:13<br>56:10<br><b>english</b> 47:20<br><b>ensuring</b> 32:11<br><b>entail</b> 24:1<br><b>entities</b> 42:9<br><b>entity</b> 16:12<br>20:11 27:17<br>51:15,18<br><b>entry</b> 17:18<br>40:1<br><b>es</b> 55:4<br><b>especially</b><br>52:16<br><b>esquire</b> 2:4,13<br>3:3<br><b>essentially</b><br>16:17 27:24<br>34:17<br><b>estimate</b> 8:22<br><b>et</b> 1:5,8 5:7,8<br>36:19,19<br><b>evaluation</b> 48:3<br><b>event</b> 42:13 |
|--|---|---|--|

|  |   |  |  |
|--|---|--|--|
| <b>events</b> 25:5,9<br>25:11<br><b>everyday</b> 12:11<br><b>evidence</b> 16:21<br>17:1<br><b>evidentiary</b><br>5:21<br><b>exact</b> 35:13<br>52:20<br><b>exactly</b> 45:8<br>46:10,16 49:22<br><b>examination</b><br>4:2 6:23 32:14<br><b>examined</b> 6:21<br><b>example</b> 15:3<br>37:6,7 45:13<br><b>excessive</b> 39:19<br><b>exhibit</b> 4:7<br>10:22,23<br><b>exist</b> 11:17 21:5<br><b>existence</b> 49:9<br><b>expedited</b><br>53:23,25<br><b>experience</b> 35:7<br>52:18<br><b>expert</b> 42:22<br>44:12<br><b>expertise</b> 52:18<br>52:20<br><b>experts</b> 28:9<br><b>explain</b> 16:4<br>25:8 27:5<br>32:22 33:4<br>39:21 | <b>extend</b> 8:11<br><b>extent</b> 12:1<br><b>external</b> 14:3<br><br><b>f</b><br><br><b>face</b> 16:20<br><b>fact</b> 17:3 41:4<br>43:21<br><b>factors</b> 39:8<br><b>fading</b> 24:18<br><b>fair</b> 9:8,9 46:3<br><b>fairly</b> 31:12,24<br>32:3,4,4 35:21<br>42:12 43:11<br>48:22<br><b>false</b> 16:20 17:2<br><b>familiar</b> 18:9<br><b>fared</b> 22:24<br><b>fast</b> 14:15<br><b>fatal</b> 45:2 46:9<br><b>fatalities</b> 37:18<br><b>fatality</b> 33:20<br><b>feature</b> 41:15<br><b>feed</b> 49:1<br><b>feel</b> 11:8<br><b>felix</b> 19:7<br><b>fewer</b> 15:9<br><b>file</b> 14:20 20:15<br>20:19 39:4<br><b>filed</b> 13:21 14:9<br>32:12<br><b>files</b> 14:1 22:5<br><b>final</b> 36:16<br><b>finalized</b> 30:16<br><b>financially</b><br>55:15 56:11 | <b>find</b> 35:20<br><b>finding</b> 29:17<br>32:25<br><b>findings</b> 27:22<br>30:1<br><b>finish</b> 43:11<br><b>fire</b> 51:18<br><b>first</b> 6:19 7:19<br>8:1 16:9<br><b>fit</b> 45:7<br><b>five</b> 7:15 21:14<br>38:3 47:2<br><b>flagging</b> 39:18<br><b>focus</b> 13:3<br><b>focuses</b> 48:11<br><b>folks</b> 28:7,8<br><b>following</b> 19:23<br><b>follows</b> 6:21<br><b>footage</b> 15:4<br><b>force</b> 11:14,21<br>11:23 12:9,16<br>13:5 15:16,23<br>16:2 17:17,19<br>17:21,24 18:1<br>19:3,5,11<br>22:12 39:15,15<br>39:16,19 40:1<br>40:11,25 41:20<br>41:23 44:19<br><b>forces</b> 18:13<br><b>foregoing</b> 55:3<br>55:4 56:4<br><b>foremost</b> 7:20<br><b>form</b> 46:17 | <b>formal</b> 44:17<br>45:21<br><b>format</b> 17:6<br><b>forward</b> 27:14<br>50:5<br><b>found</b> 19:5<br>29:10,23 35:7<br><b>four</b> 18:17,17<br>18:20 21:22<br>27:24 28:13<br><b>frame</b> 27:1<br>49:12<br><b>frequency</b><br>31:24 42:12<br><b>frequently</b><br>12:13<br><b>friday</b> 54:1,2<br><b>frivolous</b> 15:2<br>16:20 17:2<br><b>front</b> 14:20<br>46:20<br><b>full</b> 9:19 17:9<br>45:5 54:9<br><b>fully</b> 43:22<br><b>function</b> 24:3<br><b>functions</b> 13:11<br><b>funded</b> 53:7<br><b>further</b> 53:11<br>55:13 56:9<br><br><b>g</b><br><br><b>g</b> 5:1 9:21<br><b>gamut</b> 41:2<br><b>general</b> 12:9<br>15:20 33:10,10<br>34:4 36:21 |
|--|---|--|--|

|  |  |   |  |
|--|--|---|--|
| <p>48:13,14 50:22<br/>51:6,21<br/><b>generality</b><br/>33:11<br/><b>generalized</b><br/>48:24<br/><b>generally</b> 11:18<br/>14:3 16:15<br/>25:22 26:16<br/>45:4,5 51:3<br/><b>generated</b><br/>11:14,15,16,20<br/>15:10 17:1<br/>18:5,18 22:7<br/>22:16 26:1<br/><b>getting</b> 9:10<br/>15:22 23:4<br/>51:1<br/><b>give</b> 18:3,4<br/>28:21 42:15<br/>51:25<br/><b>given</b> 17:21,23<br/>17:24 18:1<br/>20:8,23 38:16<br/><b>gives</b> 18:7<br/>51:15 52:15<br/><b>giving</b> 37:7<br/><b>go</b> 7:18 9:22<br/>10:15 12:7,22<br/>13:1 14:12<br/>17:9,22 18:18<br/>19:2 21:1,2,6<br/>21:15 34:19<br/>44:13,18 47:5<br/>50:16 54:9</p> | <p><b>goes</b> 20:24 21:9<br/>36:20<br/><b>going</b> 7:8,18<br/>10:12,12,22<br/>12:5 14:14<br/>15:19 19:1<br/>24:5 25:10,10<br/>30:8 31:17<br/>33:13 34:18<br/>35:1,24 42:2<br/>47:7<br/><b>good</b> 5:2 6:25<br/>8:17 27:11<br/>35:21 43:10<br/>44:9 47:1,10<br/><b>governed</b> 34:16<br/><b>government</b><br/>34:15 52:17,25<br/>53:1<br/><b>grab</b> 9:3<br/><b>great</b> 9:19<br/>11:11 19:13<br/><b>greater</b> 43:12<br/><b>group</b> 26:21<br/>49:16 53:6<br/><b>guess</b> 8:20,22<br/>15:21 45:19<br/><b>guidance</b> 24:25<br/>51:3,16,23<br/>52:1<br/><b>guideline</b> 38:21<br/><b>guiding</b> 50:4<br/><b>guys</b> 36:18</p> | <p><b>h</b><br/><b>h</b> 4:5 9:21<br/><b>habitually</b> 51:4<br/><b>hand</b> 6:16 13:1<br/>13:1<br/><b>hands</b> 32:21<br/><b>hang</b> 53:20<br/><b>happen</b> 12:12<br/><b>happened</b> 24:6<br/>24:7 28:4<br/><b>happening</b><br/>30:14,17<br/><b>happy</b> 18:18<br/><b>hard</b> 7:14<br/>43:21<br/><b>harder</b> 10:17<br/><b>head</b> 8:2 38:9<br/><b>hear</b> 8:15 10:17<br/>26:17 33:4<br/>34:12<br/><b>heard</b> 7:17 33:2<br/>40:6<br/><b>hearing</b> 36:4,6<br/><b>hereto</b> 55:15<br/>56:11<br/><b>hey</b> 29:16,24<br/>42:23 44:12<br/>46:14 52:10<br/><b>high</b> 32:1 34:23<br/>42:12<br/><b>highest</b> 9:23,25<br/><b>hire</b> 21:24 22:1<br/><b>historical</b> 30:11<br/><b>history</b> 39:4</p> | <p><b>hold</b> 12:12<br/>25:14 54:9<br/><b>holding</b> 27:16<br/><b>honesty</b> 18:14<br/><b>hope</b> 48:14<br/><b>hopefully</b> 12:18<br/>39:11 40:7<br/>52:5<br/><b>hoping</b> 37:15<br/><b>horton</b> 28:22<br/>29:4,15<br/><b>hours</b> 9:2<br/><b>huh</b> 8:2<br/><b>human</b> 8:7 38:9<br/>51:17<br/><b>hypothetical</b><br/>37:7</p> <p><b>i</b></p> <p><b>i.e.</b> 27:17<br/><b>ia</b> 22:6 23:19<br/>34:12<br/><b>iapro</b> 11:25<br/>13:8,10,14<br/>17:16 18:15<br/>19:20 37:4<br/>40:1,2,3,9<br/><b>ias</b> 15:9<br/><b>identification</b><br/>10:24 22:18<br/><b>identify</b> 6:2<br/><b>illustrious</b> 10:3<br/><b>imagine</b> 14:25<br/>15:8 26:8<br/><b>implement</b> 38:1<br/>40:16 41:14</p> |
|--|--|---|--|

|   |   |  |   |
|---|---|--|---|
| <b>implementati...</b><br>26:13   | <b>incidents</b> 11:15<br>19:6,12,18                    | 16:5 17:11<br>22:10 34:10,24   | 40:24 41:2,19<br>42:3   |
| <b>implemented</b><br>23:4 28:24<br>42:9  | 31:23 32:1<br>39:1 42:6<br>45:23 50:10,10               | 34:24 35:1<br><b>instances</b> 33:12   | <b>introduce</b> 6:11<br>6:12,14  |
| <b>implication</b><br>12:17   | 50:12   | <b>institute</b> 23:8  | <b>investigation</b><br>14:23 16:7,22<br>17:5 20:7,14<br>21:14 23:19<br>25:15,23 32:23<br>33:18 34:24,25<br>35:2,22,23<br>36:24 50:13 |
| <b>important</b><br>30:11 33:23<br>34:8 44:6  | <b>include</b> 11:16<br>13:23 21:10<br>39:8 41:3        | <b>instructions</b><br>7:9,17  | <b>investigations</b><br>12:18,25 13:24<br>13:25 14:4,5<br>15:11 17:9<br>20:1 22:9<br>31:15 34:11,14<br>34:20 35:11<br>37:22          |
| <b>imposed</b> 36:25  | <b>included</b> 13:14<br>13:15                          | <b>intake</b> 16:14  | <b>investigative</b><br>20:11 37:10,12  |
| <b>impression</b><br>42:15  | <b>inconsistently</b><br>35:8                           | <b>intended</b> 5:19<br>36:7 37:14   | <b>investigator</b><br>20:18 35:18<br>46:13   |
| <b>improve</b> 50:3   | <b>independent</b><br>50:11                             | <b>intent</b> 29:1<br>36:1,11 38:13<br>38:15   | <b>investigators</b><br>25:17,18 35:15<br>50:14   |
| <b>improved</b> 43:7<br>44:5  | <b>indicated</b> 11:2                                   | <b>intention</b> 8:15  | <b>involved</b> 19:5<br>22:11 23:20<br>30:10 33:20<br>36:1 37:6,8,17<br>37:18 42:12<br>44:17,18 45:1<br>45:1,22 46:6,7                |
| <b>improvement</b><br>27:15 29:22<br>31:4 43:4<br>49:18 50:2  | <b>individual</b><br>40:21 42:25                        | <b>interested</b> 16:2<br>55:15 56:12  |   |
| <b>improvements</b><br>21:21 22:2   | <b>industry</b> 35:9<br>43:25                           | <b>internal</b> 13:24<br>13:25 14:4<br>19:25 20:7,11<br>20:14 21:13<br>22:9 23:19<br>27:20 28:7<br>30:13 31:15<br>32:24 33:17<br>34:5,9,10<br>35:14,17 46:12 |   |
| <b>incident</b> 13:1<br>17:23 23:21<br>24:7,10,15<br>25:1,3,7,12<br>26:13,23 27:2<br>27:10,15 28:23<br>29:2 30:22<br>32:5 38:19<br>40:15 41:6<br>42:23 46:8<br>48:4,4,18<br>49:24 | <b>informal</b> 27:8<br>31:21 43:20                     | <b>internally</b><br>11:16 15:10<br>27:7   |   |
|   | <b>informally</b> 44:1                                  | <b>interpretations</b><br>31:2   |   |
|   | <b>information</b><br>18:10 26:5<br>27:18 46:20<br>51:2 | <b>interrupt</b> 8:13<br>8:15  |   |
|   | <b>infrastructure</b><br>41:13                          | <b>intervention</b><br>39:24 40:13,17  |   |
|   | <b>infusing</b> 31:3                                    |  |   |
|   | <b>initial</b> 16:14<br>21:11                           |  |   |
|   | <b>input</b> 40:10                                      |  |   |
|   | <b>inquiry</b> 14:19<br>14:21,25 15:17                  |  |   |

|  |   |  |   |
|--|---|--|---|
| 52:8<br><b>ir</b> 14:21 15:8<br>23:19<br><b>issue</b> 27:14<br>36:14<br><b>issued</b> 36:2<br><b>issues</b> 26:24<br>28:3 29:12<br>45:21<br><b>iterations</b><br>48:21   | <b>katelyn.knight</b><br>2:17<br><b>keep</b> 8:1 44:2<br><b>keeping</b> 32:9<br><b>keeps</b> 43:5<br><b>kept</b> 13:4 32:13<br>32:13<br><b>kilday</b> 3:4<br><b>kilduff</b> 3:4<br><b>kind</b> 12:4,5,6<br>12:14,20,21<br>15:20 17:8,21<br>20:6 21:19<br>23:9 24:1,3,11<br>26:17 28:4,11<br>28:16 30:5,10<br>30:11 31:3,23<br>32:2 33:21<br>35:20 36:21<br>37:15 39:3,7<br>39:11 42:2,10<br>42:17 43:9,14<br>43:17,19,25<br>44:2,22 45:9<br>48:8,15,20<br>49:12,13 50:6<br>50:16 51:25<br>53:2<br><b>knew</b> 28:22<br><b>knight</b> 1:12<br>2:12,13 4:8 5:6<br>6:6,6,7,11,13<br>6:15,18,25<br>9:21 15:14<br>19:2,10 51:1 | 53:13,18<br><b>know</b> 8:14,21<br>8:21 9:5 10:13<br>10:18 11:4,22<br>12:5,11,25<br>14:11,13,15<br>15:3,21 17:16<br>18:6,8 19:7<br>20:2,4 21:13<br>21:14,25 24:6<br>24:24,24 25:21<br>26:20 27:18<br>28:6,11,14,15<br>29:6,15,21<br>30:10,16 31:9<br>31:9,17,18,23<br>32:2,6,22 33:6<br>33:13 36:18<br>38:11 39:7,9<br>39:14,15 40:6<br>41:18 42:11<br>43:11,14,17,17<br>43:20,21 44:11<br>44:17,21 45:8<br>46:7,23 47:6<br>48:1,2,25 49:1<br>49:5,7,8 50:21<br>50:22,23 51:3<br>51:23 52:3,3,4<br>52:15,21 53:3<br><b>knowledge</b><br>8:23 39:23,23<br>55:10 56:6<br><b>konz</b> 3:3 6:9,9<br>53:15 54:4,6 | <b>l</b><br><b>labor</b> 35:25<br><b>lack</b> 25:21<br>51:24<br><b>large</b> 35:13<br>46:1<br><b>law</b> 3:4 7:21<br>15:7<br><b>law.com</b> 3:7<br><b>laws</b> 5:21 36:1<br><b>lay</b> 30:11<br><b>layer</b> 50:11<br><b>lead</b> 8:9 30:18<br><b>leaders</b> 48:11<br><b>leads</b> 32:24<br><b>leave</b> 45:3<br><b>leaves</b> 54:8<br><b>lee</b> 28:22<br><b>left</b> 10:17<br><b>legal</b> 51:16,16<br>51:23,23 52:1<br><b>letter</b> 25:22,25<br>26:3<br><b>letters</b> 14:20<br><b>level</b> 9:23,25<br>27:16 34:23<br>36:5,6 38:14<br><b>levels</b> 12:20<br>34:18<br><b>lieutenant</b><br>17:12,14 20:21<br>20:22 23:4<br><b>limitation</b><br>15:18 |
| <b>j</b>   |   |  |   |
| <b>jarrett</b> 3:2 7:3<br><b>jcoyle</b> 2:8<br><b>job</b> 1:20 44:9<br><b>john</b> 2:4 6:4,25<br>21:18 38:22<br><b>joint</b> 12:17<br>50:13<br><b>joking</b> 43:18<br><b>july</b> 1:13 5:8<br><b>jumbled</b> 8:9<br><b>jump</b> 8:8 11:11<br><b>june</b> 22:1 23:5<br>23:6 24:7,22<br>26:22 48:6<br>49:3,3<br><b>justified</b> 42:24 |   |  |   |
| <b>k</b>   |   |  |   |
| <b>k</b> 9:21<br><b>kassie</b> 56:2,15<br><b>katelyn</b> 2:13<br>6:6 18:22,25<br>47:19 53:11   |   |  |   |

|   |  |   |   |
|---|--|---|---|
| <b>limited</b> 19:3<br><b>lineage</b> 28:23<br>28:24 30:7<br><b>list</b> 18:4,8<br><b>little</b> 10:17<br>16:22 17:6<br>19:14 24:18,19<br>29:5 39:22,22<br>47:2<br><b>lives</b> 23:9<br><b>location</b> 1:15<br><b>log</b> 13:20,20<br>14:7,11 17:16<br>18:17,21,25<br>19:11,20 46:6<br>46:11<br><b>logged</b> 11:25<br>13:6 17:17<br><b>login</b> 13:12<br><b>long</b> 9:1 10:9<br>16:23 24:11,25<br>47:19<br><b>longer</b> 17:6<br>47:7<br><b>look</b> 10:17<br>13:13,16 24:12<br>26:6 30:23<br>36:25 43:3<br>46:11,13 47:6<br>52:10<br><b>looked</b> 26:23<br>28:12 30:4<br>48:20<br><b>looking</b> 14:8<br>19:24 29:20,21 | 31:18 43:8<br>47:24 49:5<br><b>looks</b> 19:25<br>35:23 37:11<br><b>lost</b> 47:19<br><b>lot</b> 12:4,23<br>13:15 15:8<br>19:17 20:6<br>23:9 27:18<br><b>low</b> 31:24<br>42:12<br><b>lower</b> 36:6   | 52:24<br><b>managerial</b><br>20:21<br><b>managers</b><br>40:10<br><b>manner</b> 5:22<br><b>manual</b> 48:21<br><b>mark</b> 10:22<br><b>marked</b> 10:23<br><b>material</b> 18:24<br><b>matrix</b> 38:20<br><b>matter</b> 5:7 7:2<br>15:19 28:8<br>42:22 44:12<br><b>mceldrew</b> 2:5<br><b>mceldrewyou...</b><br>2:8<br><b>mean</b> 9:13<br>23:18 31:8,22<br>31:22 41:1,21<br>44:4<br><b>means</b> 5:23 7:5<br>8:19<br><b>mechanism</b><br>23:2 24:12<br>40:9 46:17,19<br><b>medication</b><br>9:15<br><b>meeting</b> 23:12<br><b>meetings</b> 22:16<br>22:19 23:11<br><b>melissa</b> 1:19<br>5:3 14:16<br>26:15 55:2,17 | <b>members</b> 22:19<br>28:5<br><b>memo</b> 38:3,16<br><b>memo's</b> 33:7<br><b>mental</b> 44:23<br><b>mentioned</b><br>17:17 18:12<br>44:11 48:17<br><b>metropolitan</b><br>43:13<br><b>mic</b> 24:18<br><b>middle</b> 35:20<br><b>mimicked</b><br>28:25<br><b>mind</b> 8:1 15:20<br><b>minutes</b> 47:2,8<br><b>misconduct</b><br>14:2 16:13<br><b>missing</b> 23:24<br>24:13<br><b>models</b> 50:18<br><b>monterrosa</b> 1:5<br>2:2,3 5:7 6:5<br>7:2 41:6<br><b>month</b> 22:7<br><b>monthly</b> 22:6<br>22:15,22 23:14<br><b>morning</b> 6:25<br>9:10<br><b>morphing</b> 30:8<br><b>motion</b> 13:21<br><b>motions</b> 22:13<br><b>move</b> 27:14<br><b>moved</b> 48:11<br>50:5 |
|   | <b>m</b>   |   |   |
|   | <b>m</b> 2:13<br><b>made</b> 21:22<br>33:7 35:4 39:7<br>40:20 44:15<br><b>main</b> 23:2<br><b>maintained</b><br>46:24<br><b>major</b> 23:9<br><b>make</b> 7:19<br>24:12 32:16<br>41:9 43:14<br>44:6<br><b>makes</b> 12:18<br>21:24 32:9<br>37:15 42:17<br>47:9 51:20<br><b>making</b> 28:2<br>29:13 31:4<br><b>manager</b> 38:12<br>50:9,21,23<br>51:11,12,19<br>52:7,8,11,19,23 |   |   |

|   |   |  |   |
|---|---|--|---|
| <b>multilayered</b><br>21:9<br><b>multiple</b> 35:14<br><b>mychael</b> 19:7<br><b>myriad</b> 26:24  | <b>nope</b> 45:16<br>53:15<br><b>nora</b> 2:2 6:5<br>7:2<br><b>notary</b> 5:10<br>55:18<br><b>notes</b> 13:25<br>30:15 47:5<br><b>notice</b> 4:7<br>10:16,25 17:22<br>36:1,11,15,15<br>38:13,15<br><b>now's</b> 47:1<br><b>number</b> 7:6<br>14:12 15:21<br>17:19,24,24<br>18:1,7 20:8<br>22:11,12,12,13<br>45:25 46:9<br><b>numbers</b> 18:21<br>37:5 41:3 | 43:6 45:15<br><b>occurred</b> 23:6<br>24:10 28:17<br>30:2 31:20<br>39:1 43:6<br>49:19<br><b>occurs</b> 22:22<br>36:14 37:14<br><b>offense</b> 9:13<br><b>offer</b> 40:3<br><b>offered</b> 7:4<br>11:2<br><b>office</b> 2:14<br>25:17 38:10<br>50:13<br><b>officer</b> 11:17<br>12:9 13:13,22<br>14:6 18:5 19:5<br>22:11 23:20<br>25:25 33:20<br>37:6,17,18<br>42:11 44:13,25<br>45:1,17,22<br>46:6,7 55:1,2<br><b>officer's</b> 17:19<br>37:8 46:14<br><b>officers</b> 39:18<br>40:10 41:22<br><b>oftentimes</b> 26:2<br><b>oh</b> 53:21<br><b>oir</b> 26:21 49:16<br>53:6<br><b>okay</b> 7:17 8:5,6<br>8:11,12,18,24<br>8:25 10:12,15 | 11:6,6,8,11<br>13:12 14:6<br>15:13 17:13,16<br>18:11 19:13<br>21:11 22:4<br>24:14 27:5<br>38:6 44:11<br>47:1,14,23<br>51:5 52:7 53:6<br>53:9 54:7<br><b>older</b> 9:10<br><b>once</b> 35:21<br>36:11,11 41:23<br><b>ones</b> 15:17,23<br>15:24<br><b>ongoing</b> 52:9<br><b>open</b> 23:10,16<br>23:18,19,20,21<br>24:4<br><b>operation</b> 48:5<br><b>operations</b><br>19:21<br><b>opinion</b> 34:8<br><b>opportunities</b><br>50:2<br><b>option</b> 10:15<br>29:17 36:3<br><b>options</b> 27:24<br>29:5<br><b>order</b> 19:11<br><b>ordering</b> 54:5<br><b>organizational</b><br>49:15<br><b>outcome</b> 33:16<br>55:16 56:12 |
| <b>n</b>  | <b>o</b>  |  |   |
| <b>n</b> 2:1 3:1 4:1<br>5:1 6:10,10<br>9:21 36:12,14<br><b>name</b> 5:2 9:19<br>19:8 28:21<br>46:8,14<br><b>name's</b> 6:25<br><b>narrowed</b><br>15:16<br><b>nature</b> 8:7 15:2<br>27:8 34:21<br>46:5,18<br><b>necessarily</b><br>39:5<br><b>need</b> 6:12,13<br>8:25 9:2 11:5<br>50:2 53:24<br><b>needed</b> 53:22<br><b>neftali</b> 1:5 2:2<br>5:7 6:5 7:2<br><b>neither</b> 55:11<br>56:7<br><b>nelson</b> 19:7<br><b>new</b> 5:11 55:19<br><b>nod</b> 36:14<br><b>nods</b> 8:2<br><b>noid</b> 36:12<br><b>nonfatal</b> 45:2<br>46:9 | <b>o</b> 5:1 6:10<br>36:12,14<br><b>oath</b> 7:20<br><b>oaths</b> 5:11<br><b>objection</b> 5:14<br>15:14<br><b>obligated</b> 7:21<br><b>obviously</b> 29:6<br>30:7 33:15,24<br>37:17 38:11<br><b>occur</b> 13:5 15:5<br>25:5,23 26:10<br>28:20 30:15  |  |   |

|  |  |  |   |
|--|--|--|---|
| <b>outside</b> 16:12<br>21:11 49:7<br><b>overall</b> 36:21<br><b>overlap</b> 11:13<br><b>oversight</b> 49:1<br>49:6 50:7,17<br>50:21 51:22<br><b>own</b> 20:8 52:4<br><b>owned</b> 40:8  | <b>people</b> 28:9<br>35:10<br><b>perfect</b> 54:3<br><b>period</b> 22:23<br>24:16 30:2<br>41:24 49:4<br><b>permitted</b> 5:19<br><b>person</b> 22:19<br><b>personnel</b> 39:4<br><b>philadelphia</b><br>2:7<br><b>physical</b> 9:15<br>45:11<br><b>physically</b><br>45:17<br><b>piece</b> 23:9<br><b>pigeonhole</b><br>29:24<br><b>piggybacking</b><br>31:14<br><b>pitchess</b> 13:20<br>13:21 14:10,24<br>18:17,20 22:13<br>32:14<br><b>place</b> 22:3<br>39:18 41:14,18<br>41:22 42:15<br>49:2,7,9<br><b>placed</b> 20:15<br><b>places</b> 38:19<br><b>plain</b> 41:10<br><b>plaintiff</b> 6:5<br><b>plaintiffs</b> 1:6<br>2:2 | <b>planning</b> 24:11<br><b>play</b> 50:21<br><b>please</b> 6:2,16<br><b>pmk</b> 33:24<br>42:16<br><b>pobr</b> 34:15<br><b>point</b> 8:13<br>18:10 21:8<br>22:17 23:6<br>37:16 46:5<br><b>police</b> 1:16 10:7<br>17:10 20:23<br>21:3,6,7,10<br>23:10 25:14<br>35:3 38:7,17<br>44:18 45:6,11<br>46:12 50:9,23<br>51:14,17,23<br>52:3,17,22<br><b>police's</b> 38:15<br><b>policies</b> 30:22<br><b>policy</b> 16:13<br>25:3,12 27:21<br>27:23 28:2,2<br>29:12 30:19,24<br>30:25 31:7,13<br>37:13 40:20<br>41:13,18 44:17<br>48:16,17,21,21<br>51:4<br><b>possible</b> 34:2<br><b>powerpoint</b><br>41:5<br><b>pre</b> 30:8 36:4<br>36:13 | <b>preface</b> 21:19<br><b>preference</b> 26:2<br><b>premise</b> 37:12<br><b>prepared</b> 11:8<br>56:3<br><b>prescription</b><br>9:14<br><b>presentation</b><br>41:6<br><b>pretty</b> 44:24<br>46:25 49:25<br><b>prior</b> 13:18<br>19:18 24:6<br>25:6 26:4,6<br>31:7,12 39:4<br>49:24 50:6<br>55:5<br><b>privacy</b> 15:15<br><b>privileged</b> 51:2<br><b>probably</b> 9:2<br>30:3 34:4<br>39:22 43:2<br>44:9 46:3<br>52:13<br><b>problem</b> 9:12<br>9:12<br><b>procedural</b><br>5:20<br><b>procedure</b><br>40:20<br><b>procedures</b><br>11:13,19<br><b>proceed</b> 6:22<br>47:16 |
| <p><b>p</b></p> <p><b>p</b> 2:1,1 3:1,1<br/> 5:1<br/> <b>p.m.</b> 1:14 5:5<br/> 47:12,15 54:10<br/> 54:12<br/> <b>pa</b> 2:7<br/> <b>page</b> 4:2,6 7:19<br/> <b>parameters</b><br/> 38:4<br/> <b>part</b> 33:2,4,25<br/> 42:9<br/> <b>particular</b><br/> 14:20 18:2,3,3<br/> 18:5 22:5<br/> <b>parties</b> 5:12,15<br/> 55:12,14 56:8<br/> 56:11<br/> <b>party</b> 25:24<br/> <b>past</b> 12:11 21:1<br/> 39:8 46:12<br/> <b>pd</b> 10:9<br/> <b>pdf</b> 49:21,23<br/> <b>peasy</b> 53:17<br/> <b>pending</b> 9:7<br/> 23:24</p> |  |  |   |

|  |  |  |   |
|--|--|--|---|
| <p><b>proceeding</b><br/>1:15 5:4,18<br/>54:13 56:4</p> <p><b>proceedings</b><br/>55:3,5,6,9 56:6</p> <p><b>proceeds</b> 33:1,5</p> <p><b>process</b> 12:1,10<br/>12:10,15 16:18<br/>17:10,12 18:9<br/>20:16,17 21:9<br/>23:8 24:24<br/>25:3,13 27:2<br/>27:10 28:12,25<br/>29:21 30:9<br/>31:8 32:10<br/>33:1,5,13,23,25<br/>34:7,16 35:2,6<br/>35:19,21 36:9<br/>36:13,19,22,22<br/>36:23 37:20,23<br/>37:23 39:18<br/>40:7 45:10,25<br/>48:19</p> <p><b>processes</b> 11:13<br/>11:19 12:2,24<br/>19:22 26:9,23<br/>34:1,13 42:21<br/>43:3,20 44:5</p> <p><b>produce</b> 19:3<br/>19:10 34:25<br/>37:5 46:23</p> <p><b>produced</b> 5:17<br/>22:16 26:4<br/>46:22</p> | <p><b>produces</b> 37:9</p> <p><b>producing</b> 19:1</p> <p><b>professional</b><br/>11:24 17:13<br/>20:21 23:3,15<br/>23:15</p> <p><b>program</b> 21:12<br/>39:17 41:17</p> <p><b>programs</b><br/>19:22</p> <p><b>prompted</b> 24:9</p> <p><b>protective</b><br/>19:11</p> <p><b>protocols</b> 12:17<br/>19:22</p> <p><b>prove</b> 17:4<br/>43:21</p> <p><b>provide</b> 27:17</p> <p><b>provided</b> 41:5</p> <p><b>proving</b> 37:13</p> <p><b>psychological</b><br/>9:15</p> <p><b>psychologist</b><br/>45:6,7</p> <p><b>psychology</b><br/>44:23</p> <p><b>public</b> 22:13<br/>51:18 55:18</p> <p><b>pull</b> 21:14 48:2</p> <p><b>purchase</b> 40:5</p> <p><b>pursuant</b> 15:7</p> <p><b>pursuits</b> 41:1</p> <p><b>purtell</b> 2:5</p> <p><b>put</b> 45:2</p> | <p><b>q</b></p> <p><b>qc</b> 31:19</p> <p><b>qualified</b> 55:7</p> <p><b>quality</b> 21:16</p> <p><b>question</b> 8:8,10<br/>9:7,13 25:7<br/>30:23 31:14<br/>37:25 41:11<br/>52:5</p> <p><b>questions</b> 29:24<br/>53:11,15</p> <p><b>quicker</b> 16:24</p> <p><b>quickly</b> 15:5</p> <p><b>quote</b> 13:19<br/>20:16 34:12</p> <p><b>r</b></p> <p><b>r</b> 2:1 3:1 5:1<br/>26:16</p> <p><b>raise</b> 6:16</p> <p><b>random</b> 21:15</p> <p><b>randomized</b><br/>24:2</p> <p><b>range</b> 44:19</p> <p><b>rank</b> 22:20</p> <p><b>rare</b> 32:4</p> <p><b>read</b> 11:4</p> <p><b>really</b> 13:3<br/>14:16 16:2<br/>19:24 23:4<br/>31:10 32:21<br/>43:10</p> <p><b>reason</b> 9:14</p> <p><b>reasonable</b><br/>38:24</p> | <p><b>received</b> 22:13<br/>22:14</p> <p><b>recognize</b><br/>43:23</p> <p><b>record</b> 5:4,5,15<br/>6:2 7:25 8:4,9<br/>9:20 28:18<br/>47:11,13,15<br/>53:23 54:9,10<br/>55:9 56:5</p> <p><b>recorded</b> 5:22<br/>55:6</p> <p><b>recording</b> 5:17<br/>55:8 56:4</p> <p><b>records</b> 11:13<br/>11:17,20 22:14<br/>43:10</p> <p><b>reduced</b> 55:7</p> <p><b>referenced</b><br/>49:18</p> <p><b>referring</b> 45:9</p> <p><b>reflected</b> 30:15</p> <p><b>reform</b> 48:3</p> <p><b>reforms</b> 23:10</p> <p><b>refute</b> 15:5</p> <p><b>regard</b> 18:12</p> <p><b>regardless</b> 45:1</p> <p><b>reivew</b> 25:3</p> <p><b>related</b> 15:16<br/>19:12 27:22<br/>34:19 45:22<br/>55:11 56:7</p> <p><b>relates</b> 18:11<br/>22:4 38:25</p> |
|--|--|--|---|

|   |   |   |  |
|---|---|---|--|
| <b>relation</b> 47:19<br>47:22<br><b>relationship</b><br>52:15 53:4<br><b>relative</b> 55:13<br>56:10<br><b>relevant</b> 15:24<br><b>remaining</b> 47:4<br><b>remember</b><br>15:18 23:7<br><b>remote</b> 1:15<br><b>remotely</b> 5:13<br><b>repeat</b> 33:2<br><b>report</b> 13:14,14<br>18:2 20:3,19<br>22:6,15,22<br>28:19 29:4<br>30:16 35:23<br>37:10,12 49:16<br>49:21 51:12,13<br><b>reported</b> 1:19<br><b>reporter</b> 5:2,3<br>6:15,22 10:14<br>24:17,21 26:18<br>47:11,14 53:20<br>54:2,4,7<br><b>reporter's</b> 7:24<br><b>reports</b> 12:2<br>18:4 26:11<br>29:14 30:4,20<br>36:25 37:5<br><b>reprimands</b><br>36:10<br><b>requalify</b> 44:18 | <b>requested</b><br>55:21<br><b>requests</b> 22:14<br><b>required</b> 14:1<br>32:15<br><b>research</b> 47:22<br><b>reserved</b> 54:11<br><b>resolution</b><br>14:19,21 15:1<br>16:5 17:11<br>22:10 34:10<br><b>resolutions</b><br>15:17<br><b>resources</b> 38:9<br>51:17<br><b>restroom</b> 9:3<br><b>result</b> 16:7<br>33:19 35:1,24<br><b>retake</b> 44:19<br><b>retraining</b><br>41:25<br><b>review</b> 11:20<br>12:9 19:19<br>20:2,22 21:8<br>21:11 23:20,21<br>23:21 25:1,7<br>25:12 26:6,14<br>26:21,23,25<br>27:2,10 28:23<br>29:3 30:22<br>35:1,2 36:13<br>37:9 40:11<br>42:20,22 46:20<br>48:3,4,4,6,18<br>50:1,10,11 | 55:21<br><b>reviewed</b> 11:23<br>11:25 13:4,18<br>14:6 20:4<br>32:12 42:8<br>48:10<br><b>reviews</b> 11:14<br>13:5 19:22<br>20:18 24:15<br>27:2,6 31:17<br>31:18 37:22<br><b>right</b> 6:16 8:16<br>8:21,23 9:19<br>11:11 20:6<br>33:10,11,20<br>47:1 48:23<br>53:10<br><b>risk</b> 42:13<br><b>robert</b> 1:12<br>2:11 4:8 5:6<br>6:18 9:21<br><b>robust</b> 37:19<br><b>role</b> 50:19<br><b>roles</b> 50:20<br><b>rooms</b> 29:22<br><b>route</b> 40:11<br><b>routed</b> 20:15<br><b>routine</b> 45:3<br><b>routing</b> 17:10<br>17:11 20:16,17<br><b>rubric</b> 39:20<br><b>rules</b> 5:21<br><b>run</b> 18:2 52:22<br>52:24 | <b>running</b> 52:18<br><b>s</b><br><b>s</b> 2:1 3:1 4:5 5:1<br><b>sacramento</b> 3:6<br>10:3,4<br><b>santa</b> 2:15<br><b>saying</b> 43:11<br><b>says</b> 44:12<br><b>scale</b> 46:1<br><b>scheme</b> 32:4<br>43:12<br><b>scope</b> 31:10<br><b>screen</b> 10:13,14<br>10:20 54:9<br><b>scroll</b> 11:5,6<br><b>se</b> 16:18 21:18<br>31:22<br><b>second</b> 7:24 8:7<br>53:20<br><b>secondary</b><br>37:23<br><b>see</b> 10:13,20<br>13:24 14:19<br>29:4 30:5<br><b>seeing</b> 44:3<br><b>select</b> 27:23<br><b>selective</b> 21:13<br><b>sense</b> 12:19<br>21:24 32:16<br>37:15 42:18<br>47:9 51:20<br><b>sent</b> 11:24<br><b>separate</b> 12:14<br>42:8 51:15 |
|---|---|---|--|

|   |   |  |  |
|---|---|--|--|
| <b>sergeant</b> 20:12<br>22:20<br><b>service</b> 36:20<br><b>set</b> 40:25<br><b>settling</b> 47:20<br><b>several</b> 17:22<br>39:8<br><b>severe</b> 33:17<br><b>severity</b> 36:17<br>39:8<br><b>share</b> 10:13,14<br><b>shooting</b> 22:1<br>44:18 45:1,22<br>46:6<br><b>shootings</b> 19:6<br>37:18 42:12<br><b>short</b> 26:17<br><b>shorter</b> 16:22<br><b>shoulders</b> 8:3<br><b>show</b> 7:7 10:12<br><b>shrugs</b> 8:2<br><b>shy</b> 10:10<br><b>sign</b> 20:19<br><b>signature</b> 54:11<br>55:16 56:14<br><b>significant</b><br>21:21,21<br><b>similar</b> 33:14<br>33:22 34:1<br>37:24 38:25<br><b>simplest</b> 52:13<br><b>sir</b> 10:20<br><b>sit</b> 28:17 45:13<br><b>situation</b> 21:17 | <b>size</b> 43:15,24<br><b>sized</b> 43:12<br><b>skelly</b> 36:5<br><b>skills</b> 55:10<br>56:6<br><b>skim</b> 18:19<br>19:4<br><b>skimmed</b> 30:21<br><b>skip</b> 19:14<br><b>skirt</b> 23:5<br><b>slang</b> 13:19<br><b>slight</b> 22:24<br><b>slightly</b> 43:18<br><b>slow</b> 14:16 34:6<br><b>small</b> 35:17<br>43:11 44:2<br><b>sociology</b> 10:1<br><b>software</b> 40:2,3<br>40:4,5,8,12,16<br>40:18 41:12<br>42:5,14<br><b>somewhat</b><br>30:15 50:4<br><b>sorry</b> 24:17<br><b>sort</b> 13:3,4 16:4<br>19:14 21:16<br>24:14 26:20<br>27:1 30:19<br>31:14,21 32:22<br>44:15 45:19,20<br>46:1 47:25<br>48:9,11,24<br>52:8<br><b>sought</b> 51:4<br>53:6 | <b>sounds</b> 8:17<br>47:10<br><b>south</b> 2:6<br><b>speak</b> 8:22 51:3<br>51:6<br><b>speaking</b> 7:5<br>8:19 33:11<br>34:3<br><b>specialized</b><br>52:18<br><b>specific</b> 17:23<br>33:12 42:6<br>50:24,25 52:10<br><b>specifically</b><br>18:12 24:15<br>29:11 30:23<br><b>specifics</b> 14:8<br>15:22<br><b>specified</b> 13:13<br><b>spellings</b> 54:8<br><b>spoke</b> 45:6<br><b>staff</b> 22:16,18<br>23:16 28:7<br>49:7<br><b>standard</b> 43:25<br><b>standardized</b><br>35:19,25 44:22<br>45:10<br><b>standards</b><br>11:24 17:13<br>20:21 23:3,15<br><b>standpoint</b><br>44:23<br><b>start</b> 11:12,18<br>34:4 39:16 | 49:13<br><b>started</b> 28:5<br>29:23<br><b>starting</b> 51:7<br><b>state</b> 5:11 10:3<br>10:4 55:19<br><b>stated</b> 16:19<br>17:8 20:8<br><b>states</b> 1:1<br><b>stats</b> 22:6<br><b>status</b> 23:23<br><b>stayed</b> 31:12<br>48:22<br><b>stem</b> 12:2<br><b>stenographic</b><br>5:23<br><b>step</b> 32:10<br><b>steps</b> 23:24<br>35:5<br><b>stipulation</b><br>5:24<br><b>stops</b> 17:12<br><b>street</b> 1:17 2:6<br>2:15 5:8<br><b>strengths</b> 50:1<br><b>strike</b> 12:12<br><b>strong</b> 51:11<br><b>structure</b> 21:4<br>30:20 49:15<br><b>structures</b> 49:2<br>49:6 50:8<br><b>subject</b> 28:8<br>42:22 44:12<br><b>subordinate</b><br>52:14 53:3 |
|---|---|--|--|

|   |   |                                      |                                   |
|---|---|--------------------------------------|-----------------------------------|
| <b>substantial</b><br>32:2 49:25        | 41:22 42:3                              | <b>termination</b><br>38:3           | 28:13,14 30:17<br>32:3,4 33:22    |
| <b>suite</b> 2:6 3:5                    | <b>t</b>                                | <b>termination's</b><br>33:9         | 34:21 36:9<br>39:10 42:4,11       |
| <b>supervisor</b><br>11:24              | <b>t</b> 4:5 6:10 9:21<br>17:25         | <b>terms</b> 13:16<br>19:19 29:9     | 42:16,17,19,20<br>42:22 43:6,9    |
| <b>supervisors</b><br>35:19 40:10       | <b>ta</b> 17:25 18:1,4                  | 30:8,24 31:13<br>34:4,7 45:11        | 43:16 44:1,3,7<br>44:8 47:4       |
| <b>support</b> 36:24<br>37:14           | <b>tabulate</b> 17:18                   | 50:1 51:21                           | 48:10,25 49:8<br>50:3 52:4,16     |
| <b>supporting</b><br>36:23              | <b>tactics</b> 28:1<br>29:13 31:5       | <b>terribly</b> 9:1                  | 52:22,23                          |
| <b>supposed</b> 29:16                   | <b>take</b> 5:4,10<br>8:25 9:3,4,8,9    | <b>testified</b> 6:21                | <b>think</b> 9:1 10:4             |
| <b>sure</b> 7:19 12:23<br>17:20 18:16   | 9:11 12:5<br>24:25 37:18                | <b>testify</b> 9:16<br>11:8 21:20,23 | 15:15,18,23<br>19:18 23:14        |
| 24:12 44:6<br>48:24 49:22               | 47:2,8 52:23                            | 28:18 43:2                           | 27:11 29:9,19<br>30:11 31:1       |
| <b>susceptible</b><br>39:19             | <b>takedown</b><br>12:12                | <b>testifying</b> 13:18<br>55:5      | 33:23 34:3<br>35:21 37:16         |
| <b>suspect</b> 25:24                    | <b>taken</b> 7:10 22:2<br>55:3,12 56:9  | <b>testimony</b><br>12:23            | 41:19 42:10,23<br>42:24 44:5      |
| <b>suspect's</b> 46:8                   | <b>talk</b> 7:8 11:19<br>14:15,16 19:21 | <b>thank</b> 19:14<br>26:18          | 45:14,15 47:1<br>47:3,7,24 48:1   |
| <b>suspension</b><br>38:3               | 29:11 33:12,17<br>34:7 40:23            | <b>thanks</b> 53:16<br>53:18 54:6    | 48:2,13,13,14<br>48:17 49:11,18   |
| <b>suspension's</b><br>33:8             | <b>talked</b> 22:11<br>27:13 37:3       | <b>that'd</b> 19:13                  | 51:7,21 52:13<br>53:2             |
| <b>swear</b> 5:12                       | 48:15 49:15<br>52:2                     | <b>theory</b> 52:17                  | <b>thorough</b> 17:4<br>49:25     |
| <b>switch</b> 39:13                     | <b>talking</b> 15:20<br>39:12 46:10,17  | <b>thereof</b> 46:17                 | <b>thoroughly</b><br>32:12        |
| <b>sworn</b> 5:15<br>6:19 55:5          | <b>tell</b> 6:20 7:21<br>14:7 19:3      | <b>thing</b> 9:6 13:25<br>23:25 35:6 | <b>three</b> 21:22<br>41:23 46:15 |
| <b>system</b> 13:8,10<br>37:3 40:3,8,13 | 32:25                                   | 38:4 44:21,22<br>51:7                | <b>threshold</b><br>40:22         |
| 40:14,24,24<br>41:3,8,13,15,20          | <b>ten</b> 33:8 46:12<br>47:2,8 49:3    | 58:1,1,20<br>8:23 13:2,15            |                                   |
| 42:9,14                                 | <b>term</b> 13:19<br>25:21 26:17        | 13:23 15:22<br>21:20 22:5,8          |                                   |
| <b>systems</b> 31:16<br>39:14,24,25     | 40:7 51:24                              | 23:3 24:13<br>26:10 27:10,11         |                                   |

|   |   |  |  |
|---|---|--|--|
| <b>thresholds</b><br>40:25 41:3,14<br><b>time</b> 1:14 6:1<br>8:13 9:1 11:23<br>15:18 21:23<br>23:1,14 24:4<br>24:16 25:4,13<br>25:16 27:1,22<br>27:24 28:20,22<br>29:16 30:3<br>38:6,18,18,23<br>40:4,14,15,19<br>41:5,10,24<br>43:8 47:1<br>49:12 53:18<br><b>timelines</b> 25:4<br><b>timeliness</b><br>27:14<br><b>timely</b> 26:10,11<br><b>times</b> 7:13<br>17:22 20:13,25<br>21:1 23:13<br>41:23 46:15,15<br>50:24 52:10<br><b>today</b> 7:1,4,25<br>8:16 9:17<br>13:19 18:6<br>28:18 33:24<br>43:2 45:13<br>49:10 53:18<br><b>together</b> 23:16<br><b>tom</b> 17:25<br><b>tone</b> 42:17<br><b>tonn</b> 3:2 6:10<br>7:3 11:17 | 13:13 18:11<br><b>tonn's</b> 14:6<br>21:24,25<br><b>topic</b> 32:19<br>48:24<br><b>topics</b> 7:6,8<br>11:1,9 19:23<br>47:24,25 50:25<br><b>tops</b> 9:2<br><b>total</b> 17:19<br><b>touched</b> 49:10<br><b>towards</b> 50:16<br>50:17<br><b>track</b> 13:10<br>32:9 43:5,16<br>44:2 46:7<br><b>tracked</b> 20:9<br>22:8 42:4,7,8<br>43:4<br><b>tracking</b> 16:8<br>32:8,17 44:9<br>45:24 46:4,18<br>46:18<br><b>traditional</b><br>49:14 50:8,17<br><b>training</b> 28:3,8<br>29:12 31:4,5<br>41:25 43:1<br>44:13 45:11<br><b>transcriber</b><br>56:1<br><b>transcript</b> 5:17<br>53:24 55:21<br>56:3,5 | <b>transcriptionist</b><br>55:8<br><b>translate</b> 8:3<br><b>treatment</b> 39:2<br><b>trend</b> 22:17,21<br>22:22,24 32:2<br>32:8<br><b>trends</b> 44:2<br><b>trigger</b> 37:22<br>41:24<br><b>triggered</b> 42:21<br><b>triggering</b> 25:5<br><b>true</b> 55:9 56:5<br><b>truth</b> 6:20,20<br>6:21 7:21<br><b>truthfully</b> 9:16<br><b>try</b> 8:4,9,22<br><b>trying</b> 14:16<br><b>turning</b> 24:14<br><b>twice</b> 41:23<br><b>two</b> 8:1 9:10,11<br>14:17 16:16<br>19:6 23:13<br>33:22 45:20<br>46:14 53:25<br>54:8<br><b>type</b> 11:19 13:2<br>16:8,13 20:3<br>21:12,16 23:25<br>25:25 31:16,19<br>32:14,24 33:19<br>34:23 36:4<br>37:10 39:9,20<br>41:17 42:6,7<br>43:16 44:16 | 49:6,6 50:19<br>50:20 52:25<br>53:3,4<br><b>types</b> 11:16<br>14:17 35:11<br><b>typewriting</b><br>55:7   |
|   |   |  | <b>u</b>   |
|   |   |  | <b>uh</b> 8:2,2,2<br><b>ultimately</b> 21:2<br>25:18 37:20<br>38:10 52:24<br><b>uncommon</b><br>43:25 52:22<br><b>under</b> 5:20<br>7:20 19:10<br>21:4<br><b>understand</b><br>5:16 7:22<br>19:24 28:9<br>33:16<br><b>understood</b><br>32:19 41:17<br>45:19<br><b>unequivocal</b><br>16:21 17:1<br><b>unfounded</b><br>15:2 16:20<br>17:2<br><b>unique</b> 20:8<br>37:5 51:9<br><b>unit</b> 20:12<br><b>united</b> 1:1<br><b>university</b> 3:5<br>10:4 |

|  |   |  |   |
|--|---|--|---|
| <b>unlocked</b> 42:5<br><b>unpack</b> 12:4<br>20:6<br><b>unquote</b> 13:20<br>34:12<br><b>use</b> 8:4 9:3<br>11:14,21 12:9<br>13:5,9,9 17:17<br>17:20,24 18:1<br>19:11 22:12<br>26:17 40:1,4<br>40:11,25 44:19<br><b>used</b> 11:23 20:4<br>40:4 41:22<br><b>uses</b> 5:19 17:19<br>18:12 19:5<br>39:15,16<br><b>using</b> 39:19<br><b>usually</b> 20:11 | <b>vastly</b> 44:4<br><b>veracity</b> 15:17<br>19:3,12<br><b>veritext</b> 5:4<br><b>versus</b> 16:6<br>33:18<br><b>videoconfere...</b><br>1:11 2:4,13 3:3<br><b>violation</b> 16:13<br>37:13<br><b>vital</b> 26:5 27:18<br><b>volume</b> 32:1<br><b>vote</b> 29:18<br><b>vpd</b> 49:2<br><b>vs</b> 5:7 7:2                                | 35:13 42:7<br>48:18 49:14<br>52:13<br><b>ways</b> 35:10<br><b>we've</b> 19:17<br>21:22 22:13,14<br>43:7 46:22<br>47:21,21,25<br>48:15,25 49:8<br>50:5<br><b>wednesday</b><br>1:13<br><b>weeks</b> 10:11<br>23:13<br><b>weighing</b> 18:13<br><b>wellness</b> 44:23<br><b>went</b> 28:11<br><b>whatnot</b> 17:6<br><b>wholesale</b><br>26:21<br><b>williams</b> 41:5<br><b>witness</b> 5:12,15<br>5:16 6:19 7:5<br>10:16 14:15<br>18:23 26:15<br>51:5 55:4<br><b>word</b> 31:6<br><b>words</b> 8:4<br><b>work</b> 12:24<br>19:17 49:13<br>51:12,13,13<br><b>worked</b> 48:19<br><b>works</b> 51:18,19<br><b>worth</b> 42:10<br>49:11 51:7 | <b>wrapped</b> 26:22<br><b>written</b> 5:24<br>7:25 8:3 28:19<br>30:6,19,25<br>31:6 36:9<br>43:19   |
|  |   |  | <b>x</b>  |
|  |   |  | <b>x</b> 4:1,5 45:18<br>52:11 55:21   |
|  |   |  | <b>y</b>  |
|  |   |  | <b>y</b> 45:18 52:11<br><b>yeah</b> 9:9 12:3<br>14:10 15:25<br>16:10 18:16<br>19:9 25:8 27:6<br>47:21 48:13<br>51:6 53:2<br><b>year</b> 10:11,11<br>18:17,17,20<br>22:23,25 24:8<br>49:3<br><b>years</b> 20:25<br>21:22 28:5,10<br>28:11 30:4,22<br>31:17 46:12,24<br><b>yep</b> 51:5<br><b>yesterday</b><br>12:24<br><b>yesterday's</b><br>11:22<br><b>york</b> 5:11 55:19<br><b>young</b> 56:2,15 |
| <b>v</b>   | <b>w</b>  |  |   |
| <b>v</b> 1:7<br><b>vallejo</b> 1:8,12<br>1:16,18 2:11<br>2:14,16 5:8,9<br>6:8 7:3,6 10:6<br>10:9 47:20<br>51:8<br><b>variance</b> 30:5<br><b>varied</b> 23:13<br><b>variety</b> 13:10<br><b>various</b> 48:21<br>52:4<br><b>varying</b> 34:18<br><b>vast</b> 34:19<br>35:14  | <b>wait</b> 8:9 26:2<br><b>want</b> 7:8 8:1,8<br>8:14,15,20,21<br>9:5 11:4,12,18<br>12:6,22 13:3<br>13:16 19:24<br>21:23,25 26:6<br>28:15 33:21<br>34:12 38:1<br>39:5,13 42:15<br>43:14 44:6<br>47:5 51:8<br>52:10 53:23<br><b>wanted</b> 18:19<br><b>warning</b> 39:14<br>39:18,25 40:23<br>41:19<br><b>way</b> 16:8 17:10<br>29:19 30:5 |  |   |

| <b>z</b> |             |
|----------|-------------|
| <b>z</b> | 45:18 52:11 |

## Federal Rules of Civil Procedure

### Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

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